



Public Document Pack

James Ellis
Head of Legal and Democratic Services

MEETING : EXECUTIVE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 4 JUNE 2024
TIME : 7.00 PM

MEMBERS OF THE EXECUTIVE

Councillor Ben Crystall	- Leader of the Council
Councillor Mione H Goldspink	- Executive Member for Neighbourhoods
Councillor Carl Brittain	- Executive Member for Financial Sustainability
Councillor Alex Daar	- Executive Member for Communities
Councillor Joseph Dumont	- Executive Member for Corporate Services
Councillor Vicky Glover-Ward	- Executive Member for Planning and Growth
Councillor Sarah Hopewell	- Executive Member for Wellbeing
Councillor Tim Hoskin	- Executive Member for Environmental Sustainability
Councillor Chris Wilson	- Executive Member for Resident Engagement

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<https://www.youtube.com/user/EastHertsDistrict>

Disclosable Pecuniary Interests

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- must not participate in any discussion of the matter at the meeting;
- must not participate in any vote taken on the matter at the meeting;
- must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
- if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
- must leave the room while any discussion or voting takes place.

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AGENDA

1. Apologies

To receive any apologies for absence.

2. Leader's Announcements

To receive any announcements from the Leader of the Council.

3. Minutes - 26 March 2024 (Pages 5 - 9)

To approve as a correct record the Minutes of the meeting held on 26 March 2024.

4. Declarations of Interest

To receive any Member(s) declaration(s) of interest.

5. Hertfordshire Development Quality Charter (Pages 10 - 31)

6. Walkern Neighbourhood Plan First Revision - Adoption (Pages 32 - 156)

7. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 26 MARCH 2024, AT 7.00 PM

PRESENT: Councillor B Crystall (Leader)
Councillors M Goldspink, C Brittain, A Daar,
J Dumont, V Glover-Ward, S Hopewell,
T Hoskin and C Wilson.

ALSO PRESENT:

Councillors S Bull.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Steven Linnett	- Head of Strategic Finance and Property
Peter Mannings	- Committee Support Officer

369 APOLOGIES

There were no apologies for absence.

370 LEADER'S ANNOUNCEMENTS

The Leader welcomed everyone to the meeting and reminded them to use the microphones to be heard on the webcast.

371 MINUTES - 13 FEBRUARY 2024

Councillor Goldspink proposed, and Councillor Brittain seconded a motion that the Minutes of the meeting held

on 13 February 2024 be approved as a correct record and be signed by the Leader. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 13 February 2024 be approved as a correct record and signed by the Leader.

372 DECLARATIONS OF INTEREST

There were no declarations of interest.

373 FINANCIAL MANAGEMENT 2023/24 - Q3 FORECAST TO YEAR END

The Executive Member for Financial Sustainability presented a report on the Financial Management of the Council 2023/24 - Quarter 3 forecast financial outturn to year end.

Councillor Brittain said that the forecast headline overspend on the revenue account was £220k and the forecast underspend on the capital budget was £4.1m, and the forecast revenue overspend detailed in enclosure 1 was significantly lower than the £491k forecast in quarter 2.

Councillor Brittain proposed that the recommendations in the report be supported. Councillor Glover-Ward seconded the proposal.

Councillor Wilson asked for a comment from the Executive Member for Financial Sustainability in respect of the current state of reserves. Councillor Brittain said the council did have lower reserves like a lot of similar councils, but the total reserves were around about £20m. He said that the general reserves were £4m.

Councillor Crystall asked for a comment from the Executive Member in respect of the rephrasing of IT capital spend. Councillor Brittain said that this capital

spend had come out of the quarter 3 forecast and had not been rolled forward.

Councillor Crystall asked if the police dogs had gone into Charringtons House. The Head of Strategic Finance and Property said that there had been a request from the Metropolitan Police to use Charringtons House for dog training. He advised that they had not yet started to use the building as services needed to be capped off before this use started.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED - that (A) the net revenue budget forecast overspend of £220k be noted;

(B) the capital programme forecast outturn variance of £4.105m be noted; and

(C) the proposed capital budget carry forwards of £807k be noted.

374 WARD FREMAN POOL UPDATE

The Executive Member for Wellbeing presented a report that provided an update on Ward Freman Pool following its closure in December 2023 for health and safety reasons.

Councillor Hopewell said that the Hertfordshire County Council (HCC) had found out that the DfE funding was ending at the end of the next academic year, meaning that HCC who owned the building were not in a position to offer any ongoing support.

Councillor Hopewell said that Hertfordshire County Council had provisionally agreed in principle that a community group could take on the facility pending a viable business plan. She said that a group had formed,

and an application had been submitted to the Charity Commission on the 15 March 2024. The group was on track to submit a business plan for Thursday.

Councillor Hopewell said that the main grant pot for the estimated £700k required to fix the pool was the community ownership fund. She said that there would be quarterly funds until March 2025 and due to the delays, this recommended a 6-month delay so that all the information could be collated. She said that the final deadline had been brought forward to the end of May.

Councillor Hopewell proposed that the recommendation in the report be supported. Councillor Hoskin seconded the proposal.

Councillor Glover-Ward asked how long the condition survey would take and was there a way of getting an assurance that this could be in place before May. Councillor Hopewell said that she could not give that assurance, but it would be great to have a date in diary in the next couple of weeks to have the report by May.

Councillor Bull said that he admired the group for the hard work that they had done. The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED – that a 6-month postponement in bringing an options report to Executive on the future of the pool, be agreed.

375 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.14 pm

Chairman

Date

Agenda Item 5

East Herts Council Report

Executive pre-meeting

Date of meeting: Tuesday 21 May 2024

Report by: Councillor Vicky Glover-Ward – Executive Member for Planning and Growth

Report title: Hertfordshire Development Quality Charter

Ward(s) affected: (All Wards);

Summary – This report proposes that the Hertfordshire Development Quality Charter be endorsed as a material consideration for Development Management purposes.

RECOMMENDATIONS FOR EXECUTIVE to recommend to Council that:

- a) **The Hertfordshire Development Quality Charter, as detailed at Appendix A, be agreed as a material consideration for Development Management purposes; and**
- b) **Developers, landowners and housing associations in the district be encouraged to voluntarily sign and commit to the design and sustainability pledges set out in the Quality Charter.**

1.0 Proposal

- 1.1 The Hertfordshire Growth Board launched the Hertfordshire Development Quality Charter in 2023. The Charter seeks to encourage high quality, sustainable development across Hertfordshire.
- 1.2 It is proposed that the Council formally endorses the Charter as a material planning consideration for Development Management purposes.

2.0 Background

- 2.1 There is more emphasis than ever to achieve a high standard of new development in Hertfordshire. Most Hertfordshire councils have declared a climate emergency, committing to reducing emissions and many have set a target to achieve net zero within a targeted year. In East Herts, the Council approved a Climate Change Declaration in 2019, and subsequently agreed a Climate Emergency in 2023. The Council also has a Sustainability SPD which provides guidance on the implementation of adopted District Plan (2018) policies related to climate change, sustainable design and construction, to improve the environmental sustainability of new development.

- 2.2 The creation of more energy efficient buildings has therefore had a raised profile in recent years, however, whilst Building Regulations require new development to achieve minimum specifications relating to sustainability, such as energy efficiency and water consumption, they do not set sufficiently high standards and are not ambitious despite the known scale of the climate crisis.

- 2.3 Creating a high quality of design for new development is also important to create places in which it is safe, sustainable and desirable to live. The creation of poorly designed development can have negative impacts on people's lives, its surrounding areas and supporting facilities. These negative impacts often create concerns from people about new development, leading to opposition.

- 2.4 The Hertfordshire Development Quality Charter is a document created by the Hertfordshire Growth Board, which intends to improve sustainability and design for new development in the county. The Charter was produced in recognition of the significant housing growth anticipated across the county. The built environment is responsible for 25% of greenhouse gas emissions, therefore one of the priorities for development is to improve the construction, heating, cooling and powering of our homes and other buildings.

2.5 The Charter has the following key pledges at its core:

Design Pledges:

- Developers must submit a design and access statement to demonstrate compliance with national and local planning policies, the National Model Design Code and local design codes.
- Major sites will submit a masterplan which must be agreed in advance or alongside a planning application.
- Major sites will be informed by community engagement and a design review panel as part of the pre-application and planning application process.
- Major sites must explain the long-term stewardship strategy for their development.
- Developers must incorporate environmental management systems, considerate construction, social value and construction skills development into their business models.
- All developments should achieve at least 10% biodiversity net gain for at least 30 years in accordance with the DEFRA toolkit.

Sustainability Pledge:

- Developers must identify a sustainability standard that exceeds minimum current Building Regulations as part of their planning application and then use an industry recognised process to demonstrate compliance with that standard upon completion of their development.

2.4 Endorsement of the Charter will complement existing policies in the District Plan, including for example Policy DES1 (Masterplanning) and Policy DES4 (Design of New Development). Whilst the Charter does not seek to replace or require higher standards than current regulations allow, it does encourage developers to be more ambitious, to demonstrate excellence in design and sustainability.

2.5 In advance of the update to the District Plan and its associated District Design Code, it is important to ensure that the Council

employs as many tools as possible to secure high quality development and set a benchmark for the standards expected. The Charter is considered to be another opportunity to demonstrate this.

- 2.6 At the time of writing the following local authorities have endorsed the Charter: Dacorum, North Herts, St Albans, Stevenage, Watford, Welwyn Hatfield, and Hertfordshire County Council. Two developers have also formally signed up to the Charter: Tarmac, and Thakeham.
- 2.7 The Charter is a voluntary pledge to sign up to. It is hoped that other developers, landowners, and housing associations in the district, will also sign the Charter and contribute to the delivery of a high quality and sustainable places.
- 2.8 A copy of the Development Quality Charter is available to view at **Appendix A** and its Terms of Use at **Appendix B**. Councils, developers and others who sign the Charter will be formally recognised on the Hertfordshire Growth Board website. Developments that comply with the Charter will be automatically put forward for the Hertfordshire Building Futures Awards. There will be a distinct award for schemes that comply with the Charter. ([HGB - Hertfordshire Development Quality Charter \(hertfordshiregrowthboard.com\)](http://hertfordshiregrowthboard.com)).

3.0 Reason(s)

- 3.1 Sustainable development is key to reducing greenhouse gas emissions and in providing high quality homes and environments for all.
- 3.2 By formally signing up to the Charter, and it henceforth becoming a material consideration, the Council will strengthen its commitment and position to deliver high quality sustainable developments which will benefit our residents now and in the future.

4.0 Options

- 4.1 The Council could choose not to endorse the Charter as a material planning consideration for Development Management purposes. However, this would mean that the Council would not be able to take account of the design and sustainability pledges set out in the Charter, which are aimed at achieving a new benchmark for high quality and sustainable development in Hertfordshire.

5.0 Risks

- 5.1 The Charter will become a material consideration in planning decision making. It seeks to raise the quality of developments. The weight given to it will be at the discretion of the decision maker to determine how much weight the Charter carries.

6.0 Implications/Consultations

- 6.1 The Charter seeks to improve the sustainability of developments across East Herts. This is an opportunity for the Council to encourage higher standards of development.
- 6.2 The Charter will become a material planning consideration in decision making but does not introduce new matters not already considered by the current District Plan. It seeks to achieve higher standards and greater clarity during the planning process.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Yes. The Charter encourages developers to work collaboratively with the Local Planning Authority to develop higher quality and environmentally sustainable developments.

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes. The Charter will become a material consideration in planning decision making.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.-1 Appendix 1- Development Quality Charter

7.2 Appendix 2- Development Quality Charter Terms Of Use

Contact Member

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Hertfordshire big ideas



Hertfordshire Development Quality Charter

The purpose of this charter is to achieve a new benchmark for high quality and sustainable development in Hertfordshire.



Foreword by Cllr Richard Roberts Chair of Hertfordshire Growth Board and Leader of Hertfordshire County Council

“This Charter has a simple ambition – to set and achieve a new benchmark for high quality and sustainable development.

Most councils and many developers in the county have declared a climate emergency and are committed to becoming climate neutral within the next generation. The built environment is responsible for about 25% of greenhouse gas emissions, so one of the best things we can do is improve the construction, heating, cooling and powering of our homes and other buildings.

We also know that some people oppose new development because they are concerned about its quality, impact on its surroundings and lack of supporting facilities.

This Charter is therefore about achieving exemplary design quality and sustainability performance in new homes and buildings.

It is about making sure that building control compliance, planning policy, design quality and sustainability performance are more than the sum of their parts.

It is a commitment that anyone who builds in Hertfordshire will follow set processes in order to comply with planning and design policies and will seek to achieve high sustainability performance above the current minimums set by building regulations.

It is hoped that the Charter will be signed by all councils, housing associations and developers that are building in Hertfordshire.”

Growth agenda

Hertfordshire is planning to build about 100,000 homes and create about 100,000 jobs over the next 15 years. There are currently about 500,000 homes in Hertfordshire, so this is a significant increase.

About half of this development will re-use brownfield land in our towns and villages, at gentle densities that will accommodate new residents and help to support local shops and services.

The other half will be in urban extensions on the edge of our towns and villages as well as some entirely new villages, with good walking, cycling and bus services to town centres, jobs and railway stations.

There are a number of new business parks, life science campuses and film/tv studios that will provide high quality jobs and work with local schools, colleges and universities to offer skills and training.

And all of this development will be supported by new schools, health care, transport, community halls, sports centres and other facilities.

Development is important in itself, to provide homes and jobs and support the socio-economic prosperity of the county, but it has to be done in a way that reduces carbon emissions and protects the air, soil, water, green spaces and natural environment we all rely upon.



Hertfordshire
Growth Board

Design

Design is vitally important to ensure that developments are safe, sustainable and desirable place to live.

High quality design refers to architecture and materials used to construct homes and buildings, as well as wider masterplanning factors such as layout and how the development works as a place.

The Government sets out national policies for design in its National Planning Policy Framework and the National Model Design Code.

Both documents emphasise the importance of distinctive places and beautiful buildings. *“Beauty is not a cost to be negotiated away: it is the benchmark that all new developments should meet, to turn a collection of buildings into a place, anywhere into somewhere and nowhere into home.”*

Each council in Hertfordshire has its own more detailed planning and design policies in Local Plans and other planning documents. These include targets for wider planning aspirations such as place-making, sustainable travel and affordable homes to help create communities where everyone has the chance to live.

Hertfordshire design



Design

Developers may also have their own in-house design standards. This Charter therefore focuses on the steps that we want developers to follow so that their proposals are as well designed as possible and can be commented on by the local community and scrutinised by planning officers and councillors.

This approach means that the Charter will remain valid as new policies and design codes are adopted.

Charter Pledges

All developers must submit a design and access statement to demonstrate compliance with national and local planning policies, the National Model Design Code and local design codes.

Major sites will submit a masterplan, which must be agreed in advance of or alongside a planning application.

Major sites will be informed by community engagement and a design review panel as part of the pre-application and planning application process.



Major sites must explain the long-term stewardship strategy for their development.

Developers must incorporate environmental management systems, considerate construction, social value and construction skills development into their business models.

All developments should achieve at least 10% biodiversity net gain for at least 30 years, in accordance with the DEFRA toolkit.



Hertfordshire
Growth Board

Sustainability

Current building regulations are the minimum standards that a development must achieve in order to be safe and well-built, but they do not set very ambitious sustainability standards given the scale of the climate crisis.

There are a number of well-established industry standards – such as BRE Home Quality, LETI and Passivhaus for housing and BREEAM for commercial and industrial buildings – that can be used to rate the sustainability performance of development. Developers may also have their own in-house standards.

This Charter therefore places emphasis on industry recognised standards, rather than creating a bespoke standard for the county.

This approach means that the Charter will remain valid as building regulations are updated and new standards are created. It also makes it equally applicable for traditional, current and modern methods of construction.

A photograph of a young child with light hair, wearing a patterned jacket, holding a single green leaf in their hand. The background is a soft-focus outdoor setting.

**Hertfordshire
sustainability**

Sustainability

Charter Pledge

Developers must identify a sustainability standard that exceeds minimum current building regulations as part of their planning application and then use an industry-recognised process to demonstrate compliance with that standard upon completion of their development.

There are a number of ways in which buildings can be made more sustainable, including location, orientation, placement of windows, thermal efficiency of walls and roofs etc, airtightness, thermal bridging, use of renewable energy and overall energy consumption.

We recognise that different standards have different levels of rigour, and therefore want developers to focus on achieving the highest possible performance for carbon emissions from regulated energy.

This process should also consider embodied carbon and the lifetime of the development. Buildings should be designed to endure and be capable of adaptation for different uses and occupants.

The ultimate objective is to reduce the use of fossil fuels.



Hertfordshire
sustainability





Hertfordshire
Growth Board

Technical Information

Current sustainable construction principles are set by the national Building Regulations Part L which includes guidance on insulation, air permeability, ventilation, boiler efficiency and solar heat gain.

A new dwelling must be built to a minimum standard in terms of primary energy rate, emission rate and fabric energy efficiency rate when compared to a notional dwelling using the SAP standard assessment procedure. The building control body must be informed of the target rate and as-built rate.

The Government's Future Homes Standard seeks to improve upon building regulations, so that new homes generate 75-80% less carbon by 2025, and are able to become zero-carbon without any further refurbishment as the electricity grid continues to decarbonise. It also allows local councils to set higher standards for their areas if they wish.

The Government's Future Buildings Standard proposes new energy and ventilation standards for non-domestic buildings and a pathway for zero-carbon ready buildings.

The Building Research Establishment (BRE) describe their Home Quality Mark as the badge of a better home, which provides impartial information on design, construction and sustainability. It comprises a five star rating of the home's quality and scores for costs, wellbeing and environmental footprint. It uses a home energy performance ratio compared to a building regulations notional home. BREEAM is a similar sustainability assessment method for commercial and industrial buildings. BREEAM Communities is a framework for the masterplanning of new communities and regeneration projects.

LETI (the London Energy Transformation Initiative) is a grouping of councils and developers seeking to develop a zero carbon building standard. Their Climate Emergency Design Guide considers both embodied and operational carbon. It expects medium and large scale housing schemes to achieve high fabric u-values, air tightness, thermal bridging, window areas and use of renewable technologies to reduce regulated energy consumption to 35 kWh/sqm/year and space heating demand to 15 kWh/sqm/year.

Technical Information

The Passivhaus system is a robust scheme that requires high levels of insulation, high performance windows, airtight building fabric, thermal bridge free construction and mechanical ventilation and heat recovery. It enables homes to reduce primary/unregulated energy demand to 120 kWh/sqm/year and space heating demand to 15 kWh/sqm/year.

For clarification, regulated energy is energy consumption from controlled fixture and fittings which are inherent in the design of the building such as heating, lighting and hot water, and unregulated energy is energy consumption from operation systems that cannot be controlled by building regulations such as lifts, cookers, refrigeration, IT equipment, servers, etc.

It is understood that BRE, LETI, RIBA, The Carbon Trust and others are working on a new Net Zero Carbon Building Standard.

The NPPF Prospectus identifies scope for a national development management policy to set higher sustainability targets.

Hertfordshire Building Futures is a council partnership which provides resources to help promote, facilitate and recognise high quality development. It comprises a sustainable design toolkit, a design review panel and an awards process.

The Code of Considerate Practice embodies high standards for the way the construction industry should work and operate, to respect the community, care for the environment and value the workforce. Developers may also have their own in-house standards.

Biodiversity Net Gain is a way of leaving the natural environment in a measurably better state than it was beforehand. The Environment Bill requires all planning permissions to deliver at least 10% biodiversity net gain for at least 30 years, alongside a wider duty for public bodies to conserve and enhance biodiversity in their areas.



Hertfordshire
Growth Board

Implementation

This section explains how the Hertfordshire Development Charter will be implemented:

- Hertfordshire Growth Board to formally endorse the Charter.
- Hertfordshire councils to sign the Charter.
- Council-owned development companies to sign the Charter.
- Housing Associations to sign the Charter.
- Developers to sign the Charter.
- Landowners to sign the Charter.

Hertfordshire Building Control Ltd and St Albans / Watford shared building control service to sign the Charter as interested parties.

Individual councils as local planning authorities should endorse the Charter in some way, such as adopting it as a material consideration in the determination of planning applications and/or incorporating it into planning policies, design policies and local design codes. There is also scope for the sustainability standard proposed by a developer to be set via a planning condition.

Developers who sign the Charter will be formally recognised on the Hertfordshire Infrastructure and Development Board (HIDB) website and are welcome to use it as part of their promotional material.

**Hertfordshire
for the future**



Implementation

Developments that comply with the Charter will be formally commended and automatically put forward for the Hertfordshire Building Futures Awards. There will be a distinct award for schemes that comply with the Charter.

Hertfordshire Growth Board to operate the Charter by asking developers to demonstrate compliance with its requirements. This will include evidence of corporate social values, membership of the Code of Considerate Constructors or similar and certification of sustainability performance using an industry recognised standard.

Hertfordshire Growth Board will work with Hertfordshire Building Control Ltd and St Albans / Watford shared building control service to record how many homes and buildings in the county are built above building regulation standards. There is scope for both of these bodies to offer a confirmation service to help developers prove that their buildings have achieved a high sustainability standard.

Hertfordshire Growth Board will explore the merits of a 'carbon fund' to help retrofit older homes and buildings. Older buildings are less sustainable than newer ones, with more scope for carbon savings, so there is scope to seek funding from new development to help upgrade older properties. This action might have particular merit once building regulation standards are enhanced.



Hertfordshire
for the future





Hertfordshire Growth Board



Hertfordshire Development Quality Charter

www.HertfordshireGrowthBoard.com



Hertfordshire Development Quality Charter

Terms of Use

Introduction

The purpose of the Development Quality Charter is to achieve a new benchmark for high quality and sustainable development in Hertfordshire.

This is because the built environment is responsible for about 25% of greenhouse gas emissions, so one of the best things we can do is improve the construction, heating, cooling and powering of our homes and other buildings.

It is hoped that councils, council-owned development companies, housing associations, developers, landowners and others will voluntarily sign the Charter and commit to achieve the following pledges.

Design Pledges

- Developers must submit a design and access statement to demonstrate compliance with national and local planning policies, the National Model Design Code and local design codes.
- Major sites will submit a masterplan, which must be agreed in advance of or alongside a planning application.
- Major sites will be informed by community engagement and a design review panel as part of the pre-application and planning application process.
- Major sites must explain the long-term stewardship strategy for their development.
- Developers must incorporate environmental management systems, considerate construction, social value and construction skills development into their business models.
- All developments should achieve at least 10% biodiversity net gain for at least 30 years, in accordance with the DEFRA toolkit.

Sustainability Pledge

- Developers must identify a sustainability standard that exceeds minimum current building regulations as part of their planning application and then use an industry-recognised process to demonstrate compliance with that standard upon completion of their development.

Terms of Use

Councils, developers and others who sign the Charter will be formally recognised on the Hertfordshire Growth Board website.

Once they are signed up, councils and developers can make reference to the Charter and use the Charter Mark as part of their corporate promotional material.

Developers should tell the relevant local planning authority that they have signed the Charter as part of pre-application engagement.

It is a matter for the developer and the relevant local planning authority to decide whether the proposed development is a 'major site'. The planning system sets the threshold at 10+ homes or 1,000+ sqm of floorspace, but some Local Plan policies set different standards. This will then determine whether a masterplan is necessary and the appropriate level of community engagement and design review panel input.

Developers should make reference to the Charter in their planning applications, and demonstrate how they intend to comply with its pledges.

In accordance with the sustainability pledge, developers should advise the local planning authority which industry standard they intend to use to rate the sustainability performance of their development.

It is hoped that the relevant local planning authority will treat the Charter as a material consideration in the determination of planning applications that commit to its pledges.

It is hoped that the relevant local planning authority will use planning conditions to reaffirm the design and sustainability pledges made as part of planning applications.

Once the development is complete, developers should use an industry-recognised process to demonstrate that they have exceeded building regulations. We encourage developers to use Hertfordshire Building Control Ltd or St Albans / Watford shared building control service to confirm that the pledge has been achieved.

Developers should submit all of this information to the relevant local planning authority and Hertfordshire Growth Board.

Developments that comply with the Charter will be formally commended on the Hertfordshire Growth Board website.

Developments that comply with the Charter will be automatically put forward for the Hertfordshire Building Futures Awards. There will be a distinct award for schemes that comply with the Charter.



Hertfordshire Development Quality Charter

The purpose of this charter is to achieve a new benchmark for high quality and sustainable development in Hertfordshire.

Design Pledges

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Sustainability Pledge

- Developers must identify a sustainability standard that exceeds minimum current building regulations as part of their planning application and then use an industry-recognised process to demonstrate compliance with that standard upon completion of their development.

Signature

We are very pleased to sign the Hertfordshire Development Quality Charter, which commits us to the design and sustainability pledges.

Name

Company

Hertfordshire design



Agenda Item 6

East Herts Council Report

Executive

Date of meeting: Tuesday 4 June 2024

Report by: Councillor Vicky Glover-Ward – Executive Member for Planning and Growth

Report title: Walkern Neighbourhood Plan First Revision - Adoption

Ward(s) affected: Aston, Datchworth and Walkern;

Summary – The Independent Examiner of the Walkern First Revision Neighbourhood Plan recommended that with limited modifications, the Neighbourhood Plan should be made (adopted) and replace the current Walkern Neighbourhood Plan. The Examiner concluded that a referendum is not required because the revision does not change the nature of the existing neighbourhood plan. Therefore, the Council now has the opportunity to formally make (adopt) the Walkern First Revision Neighbourhood Plan in accordance with the Planning and Compulsory Purchase Act 2004.

RECOMMENDATIONS FOR Executive:

- a)** The recommendations and modifications made by the Independent Examiner of the Walkern Neighbourhood Plan First Revision, as detailed in Appendix A to this report, be received and considered;
- b)** The Walkern Neighbourhood Plan First Revision 2021- 2033, as detailed in Appendix B to this report, be formally made.

1.0 Proposal(s)

- 1.1 Section 38A (11A) of the Planning and Compulsory Purchase Act 2004 (as amended) provides that Schedule A2 applies to provisions for the modification of a neighbourhood development plan. In accordance with this legislation, Walkern Parish Council has undertaken a review of the existing Walkern Neighbourhood Plan, which was adopted in 2018.
- 1.2 The decision about whether the modification of the neighbourhood plan is subject to a referendum is determined by an independent examiner. Following an Independent Examination of the Walkern Neighbourhood Plan First Revision, the Examiner concluded a referendum is not required and subject to the acceptance of the various recommended modifications, the Council is now able to make (adopt) the Walkern Neighbourhood Plan First Revision.
- 1.3 Once made Walkern Neighbourhood Plan First Revision will become part of the statutory development plan for the neighbourhood area and will be used by development management in the determination of planning applications submitted in the neighbourhood area. Unless a neighbourhood plan breaches human rights or EU obligations, the local planning authority is required to formally make the neighbourhood plan.

2.0 Background

- 2.1 Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. Neighbourhood planning provides an opportunity for local communities to produce a planning document that shapes and influences future development within their local area.
- 2.2 The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 (as amended) came into force on the 6 April 2012 and prescribe both the process, and role of the local planning authority in supporting neighbourhood planning. In East

Herts, parish or town councils are qualifying bodies able to produce a Neighbourhood Plan.

- 2.3 The Neighbourhood Planning Act 2017 (Schedule A2) identifies the circumstances that can arise as qualifying bodies seek to review made neighbourhood plans. This new Schedule to the Planning and Compulsory Purchase Act 2004 Section 38A (11A) introduces a process for the modification of neighbourhood plans.
- 2.4 There is no legislative requirement to review neighbourhood plans but qualifying bodies can choose to do so. National Planning Guidance¹ explains that there are three types of modification which can be made to a neighbourhood plan:
- Minor modifications, which do not materially affect the policies in the plan;
 - Material modifications which do not change the nature of the plan or order would require examination but not a referendum;
 - Material modifications which do change the nature of the plan or order would require examination and a referendum. For example, significant new sites for development.
- 2.5 East Herts Council received an application from Walkern Parish Council for the designation of a Neighbourhood Area for the parish in July 2014. The Walkern Neighbourhood Area, which is contiguous with the parish boundaries, was subsequently designated on the 6th January 2015. The existing Walkern Neighbourhood Plan was subsequently made in July 2018.
- 2.6 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The existing Walkern Neighbourhood Plan addresses a range of topics. Policies promote high quality design to preserve village character, protect open space and the environment and support local community facilities.

¹ NPPG Neighbourhood Planning Paragraph 106 (Reference ID: 41-106-20190509)

The Neighbourhood Plan does not allocate any sites for development. Development of the site at Froghall Lane for up to 85 dwellings (granted at appeal) has fulfilled the village housing requirement as set out in District Plan Policies DPS3 and VILL1.

2.7 In 2020 Walkern Parish Council decided to undertake a review of the Neighbourhood Plan following the adoption of the District Plan (2018) and the impact of growth to the east of Stevenage. There are no sites allocated for development, the main modifications to the Neighbourhood Plan are set out below:

- Identification of a new 'countryside gap' to the west of the village to help avoid physical or visual coalescence of Stevenage and Walkern or a negative impact on the separate identify of Walkern;
- Inclusion of non-designated heritage assets and new local green space;
- Additional protection of the natural environment, including identification of a tree charter;
- Updates to design, housing and community policies in light of new policy/guidance and changes to the local context.

2.8 Walkern Parish Council undertook pre-submission consultation between January and March 2023 and submitted the Neighbourhood Plan First Revision to the Council on 12 May 2023. Following this, a six week consultation took place between 12 June and 24 July 2023.

2.9 The Neighbourhood Plan was assessed by an Independent Examiner between November 2023 and March 2024. To comply with relevant regulations, a neighbourhood plan must be reviewed by an Independent Neighbourhood Planning Examiner. East Herts Council and Walkern Parish Council appointed an Independent Examiner (IE) through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). A neighbourhood plan can either be considered at a public hearing or through independent examination of written representations. In this case it was determined that a public hearing of the neighbourhood plan was

not necessary.

2.10 The IE assessed the plan against a set of criteria (further details below) and considered the nature of the proposed modifications to the previously 'made' plan. The Council received the report from the IE on 17th March 2023, but the Examiner revised this on 29th April, to correct a factual error: an incorrect reference to a local green space.

3.0 Reason(s)

Independent Examination

3.1 As noted in the summary section of the IE's report, it was necessary to make some modifications to ensure the plans meet the basic conditions. A neighbourhood plan meets the basic conditions if:

- The plan has regard to national planning policies and advice contained in guidance issued by the Secretary of State;
- The making of the plan contributes to the achievement of sustainable development;
- The making of the plan is in general conformity with the strategic policies of the development plan;
- The making of the plan does not breach, and is otherwise compatible with, European Union obligations;
- Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.

3.2 The IE has recommended several modifications to correct errors and to ensure the plans meet these basic conditions. These modifications propose updates to reword policy and supporting text, to ensure consistency with District Plan policies and current national policy, and to provide more clarity for decision-makers. This includes removal of Box Wood as a local green space because it does not meet the criteria for designation set out in national policy and deletion of two protected recreational open spaces that are already designated as local green spaces.

3.3 The IE concludes in part 4 of the report that the policies set out in the draft Neighbourhood Plan are justified by legitimate aims to protect the environment; improve amenity of local people; support the local economy; conservation of landscape and local heritage. The Plan conforms with the existing development plan and supports sustainable development. In paragraph 2 of the report the IE concludes that subject to the limited number of recommended modifications, the draft Neighbourhood Plan will be compliant with the basic conditions and other statutory requirements and the nature of the revisions does not require a referendum. He recommends that, subject to the recommended modifications specified in this report, East Herts Council make the plan.

3.4 The IE's report can be viewed at Appendix A.

Adoption

3.5 Officers have reviewed the recommendations within the IE's Report and the reasons for them, and are happy that the recommendations set out will ensure that the Walkern Neighbourhood Plan First Revision meets the basic conditions. In accordance with the 2004 Act, it is recommended that the decision is taken to make the neighbourhood plan, subject to the modifications proposed by the IE.

3.6 There are narrow circumstances where the local planning authority is not required to make the neighbourhood plan or Order. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see paragraph 14 (4) of Schedule A2). The Neighbourhood Plan does not breach the aforementioned obligations.

3.7 Once made the Walkern First Revision Neighbourhood Plan will replace the existing Walkern Neighbourhood Plan and form part of the development plan. It is considered that the Walkern Neighbourhood Plan First Revision positively contributes to the

East Herts Development Management process providing a strong community vision that seeks to contribute to sustainable development and as such the Neighbourhood Plan can proceed to be formally made.

- 3.8 The final version of the Walkern Neighbourhood Plan First Revision can be found at Appendix B.

4.0 Options

- 4.1 The Council is permitted, in narrow circumstances only, to not make a modification neighbourhood plan, when it is in breach or incompatible with any EU or human rights obligations (see Schedule A2 14 (4) of the Planning and Compulsory Purchase Act 2004). However, the Walkern Neighbourhood Plan First Revision does not breach these obligations.

5.0 Risks

- 5.1 If the Neighbourhood Plan does not proceed to be formally made then the Council wouldn't be fulfilling its duties as Local Planning Authority and there is the risk of legal challenge.

6.0 Implications/Consultations

- 6.1 The Neighbourhood Plan has been subject to multiple rounds of statutory public consultation.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

The Neighbourhood Plan has been screened to determine whether a Strategic Environmental Assessment and/or a Habitats Regulations Assessment are required, the report concluded that the Plan is not likely to have any significant environmental effects and as such neither were required. The Plan also contains policies that aim to protect the environment.

Financial

It is the responsibility of the LPA to cover examination costs.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

The Council must make a decision under section Schedule A2 of the 2004 Act.

Specific Wards

Aston, Datchworth and Walkern;

7.0 Background papers, appendices and other relevant material

7.1 Appendix A: Examiner's Report 2024

7.2 Appendix B: Walkern Neighbourhood Plan First Revision 2021-2033

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Town and Country Planning Act 1990
Neighbourhood Planning (General) Regulations 2012

WALKERN PARISH NEIGHBOURHOOD DEVELOPMENT PLAN 2017 – 2033
FIRST REVISION

INDEPENDENT EXAMINATION

Final Report to East Herts District Council
by Edward F Cousins BA, BL, LLM, Barrister

April 2024

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PART 1

INTRODUCTION

1. This Report comprises the findings of my examination (*‘the Examination’*) into the draft Walkern Parish Neighbourhood Development Plan First Revision (*‘the Neighbourhood Plan’*). As required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (*‘the 2012 Regulations’*) the Neighbourhood Plan was duly submitted for consultation by Walkern Parish Council (*‘the Parish Council’*). Subsequently, in accordance with Regulation 16 of the 2012 Regulations the Parish Council formally submitted the Neighbourhood Plan to East Herts District Council (*‘EHDC’*). EHDC then held a consultation which concluded on 24th July 2023. I was then retained as the Examiner commencing on 25th October 2023 and the documentation was made available to me by email and in the form of hard copy to enable me to conduct the Examination. I have also accessed EHDC’s website. A distinct and separate eight week consultation was undertaken with North Hertfordshire District Council and two local Parish Councils as they had been omitted from both the Regulation 14 and Regulation 16 Consultation and notification on the Neighbourhood Plan. The submission documents were updated and submitted for Examination on 8th February 2024.
2. In my judgment, and subject to the modifications set out in this Report, I consider that the Neighbourhood Plan complies with the Basic Conditions and other statutory requirements. I therefore conclude that EHDC should make the Neighbourhood Plan subject to the recommended modifications, as specified.

My appointment

3. I have been appointed by EHDC to conduct an independent examination into the Neighbourhood Plan. I am independent of the Parish Council and of EHDC. I do not have any interest in any land that may be the subject of the Neighbourhood Plan - nor do I have any professional conflicts of interest.
4. I am a Barrister in practice at Radcliffe Chambers, where additionally I act as a Mediator. I have also joined a set of Chambers in Manchester – Nine St John Street – as an Associate Member. Previously, I was the Principal Judge of the Land Registration Division of the Property Chamber and a Chancery barrister in practice in Lincoln’s Inn. Currently I am a specialist property and planning lawyer, with particular expertise in markets and fairs, including street trading; commons and town and village greens; manorial rights; mines and minerals; and land registration law and practice. I have wide experience examining neighbourhood development

plans and, when necessary, conducting public hearings as part of the examination process. In addition to my membership of the Bar of England and Wales, I was also called to the Bar of Ireland at Trinity Term 2001, and I hold a Practising Certificate in Ireland, together with a Practising Certificate in Northern Ireland where I was called in October 2022.

PART 2

THE LEGAL FRAMEWORK

Neighbourhood Planning

The Background

1. Neighbourhood planning is the process introduced by Parliament as enacted by the Localism Act 2011 (*'the 2011 Act'*). The intellectual purpose of neighbourhood planning is to seek to enfranchise those persons living and working in a community by providing the basis through which they can play a more active role in the process of deciding the future of their neighbourhood. It has been described as the ability: -

‘to give to communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.’

2. Thus, the 2011 Act gave powers to parish councils to involve their communities in the creation of neighbourhood development plans in order to provide them with a greater say in planning matters. Parish councils are therefore able to play a role in the establishment of general planning policies for the development and use of land in their neighbourhoods. Examples of such involvement are directed to the siting, design and construction of new homes and offices, and the designation of local green space. The neighbourhood development plan sets a vision for the future for the area concerned. It can be detailed, or general, depending on the views of local people.
3. In order to ensure that the new process is workable and effective the 2011 Act introduced the requisite amendments into the Town and Country Planning Act 1990, and the Planning and Compensation Act 2004 (*'the 2004 Act'*).¹

¹ The 1990 Act, ss. 61E to 61P, Sch. 4B (neighbourhood development orders); the Planning and Compulsory Purchase Act 2004, ss. 38A to 38C (neighbourhood plans), as amended by the 2011 Act. These amendments variously came into force on subsequent days in 2012 and 2013 and were supplemented by detailed procedures provided in the 2012 and 2013 Regulations.

Qualifying Body

4. I am satisfied that the Parish Council is an appropriate ‘*Qualifying Body,*’ as defined. It is therefore entitled to submit a proposal to the local planning authority for the modification of the Neighbourhood Plan as an essential prerequisite to its being ‘*made.*’

Neighbourhood Plan Area

5. The first step towards producing a neighbourhood plan is for a parish council, or other qualifying body, to define a ‘*neighbourhood area*’ for which it considers that a plan should be prepared and presented.² This is part of the process which that body is entitled to initiate for the purpose of requiring the local planning authority in England to make a neighbourhood development plan for the whole or any part of its area specified in the plan.³ A ‘*neighbourhood development plan*’ is a plan -

‘... which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area.’⁴

6. I note from the evidence and Basic Conditions Statement that the Neighbourhood Plan Area was designated and approved by EHDC on 6th January 2015.
7. The Neighbourhood Plan states at paragraph 1.6 that the Neighbourhood Plan Area is the same as the Parish boundary of Walkern Parish. A plan showing the boundary of the Neighbourhood Plan Area is shown in the Neighbourhood Plan on page 7, at Figure 1.

Public Consultation

8. Regulation 14 of the 2012 Regulations sets out the requirements for pre-submission consultation, and Schedule 1 thereto makes reference to the relevant consultation bodies. The Consultation Statement, as amended 8th February 2024, sets out the aim of the consultation activities, and the design of consultation events to satisfy those aims. It is apparent that the Parish Council and the Walkern Neighbourhood Plan Group (‘*WNPG*’) have engaged with the local community.
9. The Consultation Statement accompanying the Neighbourhood Plan sets out the pre-submission consultation process. This refers to an informal and formal consultation with the community and other stakeholders at paragraphs 3.1 to 5.3. This process included an open event

² See s 38A(1).

³ The 1990 Act, s. 61F(1), (2), applied by the 2004 Act, s. 38C(2)(a).

⁴ By virtue of 38A(2).

at the local community centre on 1st August 2021 and questionnaires were completed. The Parish Council also engaged with a series of local groups and organisations on specific policy areas. The draft Neighbourhood Plan was sent to a list of statutory consultees and others for consultation between 3rd January 2023 and 15th February 2023. The Regulation 14 responses, together with the Parish Council's assessment of the main issues, are included in the Consultation Statement. Feedback gathered from the community and stakeholders shaped subsequent iterations of the neighbourhood Plan, refining its objectives, and strengthening its policies.

10. The Neighbourhood Plan, and accompanying documents, had been submitted to EHDC as required under Regulation 15 of the 2012 Regulations. In accordance with Regulation 16 of the 2012 Regulations, EHDC, as the relevant local planning authority, was required to publicise the Neighbourhood Plan proposal. The Regulation 16 consultation period was 12th June to 24th July 2023.
11. The consultations generated representations at the Regulations 16 consultations stage. These have been made available to me through EHDC's website and by email. I confirm that all representations on the Neighbourhood Plan received at the Regulation 16 stage have been considered when undertaking this examination. I have considered each of the representations made in reaching my conclusions on whether the Neighbourhood Plan has met the Basic Conditions. Where appropriate, I have made specific reference to the individual comments by the person or organisation.
12. Successful public consultation enables the Neighbourhood Plan to reflect the needs, views and priorities of the local community and help achieve consensus. I have already noted that the Consultation Statement includes a consultation event and engagement with stakeholders.
13. At an early stage of the examination, I raised a series of questions on the consultation process with EHDC and the Parish Council. Appendix I to the Consultation Statement contains a list of the consultees who were informed of the six week consultation period by email.
14. I note that many of the adjoining Parish Councils were consulted on the Pre-Submission and Submission versions of the plan, including Stevenage Borough Council. However, two Parish Councils (Clothall Parish Council and Little Munden Parish Council) together with North Hertfordshire District Council were omitted from the Regulation 14 consultation list. Each of these consultation bodies has a boundary which adjoins the neighbourhood plan area.

15. Regulation 14 of the 2012 Regulations requires the qualifying body to consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan. Schedule 1 of the 2012 Regulations confirms that a consultation body includes a local planning authority, county council or parish council any part of whose area is in or adjoins the area of the local planning authority. A similar obligation is placed on the local planning authority to notify those affected by the Neighbourhood Plan proposals (Regulation 6 of the Neighbourhood Planning (General) Regulations 2012).
16. The Parish Council and EHDC have confirmed that the appropriate consultation and notification of the revision to the Neighbourhood Plan did not occur in accordance with Regulation 14 and Regulation 16.
17. The local planning authority has determined that an appropriate remedy was available. Subsequently, between 4th December 2023 and 28th January 2024 the Parish Council consulted with the two Parish Council's noted above and North Hertfordshire District Council. One response was received from North Hertfordshire District Council on 19th December 2023.
18. Subsequently the Consultation Statement has been updated to reflect the additional consultation and submitted to me as part of the examination. The revised Consultation Statement contains an inaccuracy at paragraph 6.8 relating to the assertion that the three Councils referred to needed to be consulted in order to meet the Basic Conditions. This was not so in that the necessity to consult is a requirement of the Regulations, not the Basic Conditions.
19. I am satisfied that the consultation process, as corrected by the subsequent submissions, together with the second consultation conducted by the Parish Council, and the updated Consultation Statement, have now satisfied the consultation requirements for consultation on the Neighbourhood Plan.

THE STATUTORY FRAMEWORK

The Detail

Referendum

20. Section 38A(11A) of the 2004 Act (as amended) provides that Schedule A2 applies provisions for the modification of a neighbourhood development plan.
21. The relevant provisions of Schedule A2 are as follows - Paragraph 1 provides that a qualifying body can submit a proposal to the local planning authority for the modification of a neighbourhood development plan. Paragraph 7 provides that it applies if:-

‘(c) the authority consider that the modifications contained in the draft plan to which it relates are so significant or substantial as to change the nature of the neighbourhood development plan which the draft plan would replace.’

If that is the position, the authority must consider the plan under the provisions of Schedule 4B that apply to an original neighbourhood plan (including referendum). Paragraph 10(1) provides that the matter referred to above is the first matter that the examiner must determine Paragraph 11 provides that if the determination is made that the modifications are not such as to change the nature of the plan, then -

‘...the examiner must consider the following –

- (a) whether the draft plan meets the basic conditions (see subparagraph (2));*
- (b) whether the draft plan complies with the provision made by or under sections 38A and 38B;*
- (c) such other matters as may be prescribed.”*

22. In reaching decision on whether the revisions are so significant or substantial as to change the nature of the Neighbourhood Plan, I am required to consider the nature of the existing Neighbourhood Plan and the statements prepared by the Parish Council and EHDC.
23. In accordance with the statutory requirements both the Parish Council and EHDC modifications statements are required to address the aspect whether the qualifying body and the District Council consider that the modifications to the Neighbourhood Plan are

so significant or substantial as to change the nature of the neighbourhood plan, giving reasons for these opinions.

24. The statements provided by the Parish Council and EHDC set out a summary of the proposed main modifications to the Neighbourhood Plan. Both statements conclude that the modifications materially affect the policies in the Plan. However, they are not so significant or substantial to change its nature. The Neighbourhood Plan therefore has been submitted for Examination and I conclude that it will not require a referendum. A detailed description of the modifications is included in the statements and the rationale is detailed and clear. NPPG advises that allocating new sites for development might require both examination and referendum. However, no such allocations are made in the Neighbourhood Plan.
25. I am in agreement with the conclusions of the Parish Council and EHDC. Accordingly, in my judgment the Neighbourhood Plan does not require a Referendum.

Compliance with provision made by or under sections 38A and 38B of the 2004 Act

Section 38A – Meaning of “neighbourhood development plan”

26. Section 38A of the 2004 Act (as amended) provides that any ‘*qualifying body*’ is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan. As noted above, the Parish Council is a Qualifying Body by virtue of the provisions of 38A(12). Further, as stated above, EHDC is the local planning authority for the purpose of the 2004 Act.
27. Section 38A(2) requires the neighbourhood development plan only to contain policies relating to the development and use of land lying in the neighbourhood area. The policies are set out in Section 5 of the Neighbourhood Plan. I should state at this stage that I am satisfied that the Policies do relate to the use and development of land within the neighbourhood area, and not to extraneous matters.
28. By Section 38(3)(c) of the 2004 Act, a neighbourhood development plan that has been made in relation to an area forms part of the statutory development plan, for the purpose of guiding town and country planning decisions. Under Section 38(6) there is a presumption in favour of determining planning applications in accordance with the neighbourhood development plan unless material considerations indicate otherwise.

Section 38B

29. Section 38B of the 2004 Act provides as follows:

‘38B Provision that may be made by neighbourhood development plans

(1) A neighbourhood development plan—

- (a) must specify the period for which it is to have effect,*
- (b) may not include provision about development that is excluded development, and*
- (c) may not relate to more than one neighbourhood area.*

(2) Only one neighbourhood development plan may be made for each neighbourhood area.

(3) If to any extent a policy set out in a neighbourhood development plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy.

(4) Regulations made by the Secretary of State may make provision—

- (a) restricting the provision that may be included in neighbourhood development plans about the use of land,*
- (b) requiring neighbourhood development plans to include such matters as are prescribed in the regulations, and*
- (c) prescribing the form of neighbourhood development plans.*

(5) A local planning authority must publish each neighbourhood development plan that they make in such manner as may be prescribed by regulations made by the Secretary of State.

(6) Section 61K of the principal Act (meaning of “excluded development”) is to apply for the purposes of subsection (1)(b).’

30. Section 61K provides, so far as is material, as follows: -

‘61K Meaning of “excluded development”

The following development is excluded development for the purposes of section 61J—

- (a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,*
- (b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,*
- (c) development that falls within Annex 1 to Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),⁵*

⁵ This must now be taken to refer to codifying Directive 2011/92/EU. This repealed and re-enacted Directive 85/337/EEC and its amending instruments. It states at Article 14 that references to the repealed directive are to be construed as references to the new directive as a matter of consistent interpretation

(d) *development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008).*'

31. I should state at this stage that I am satisfied that the Neighbourhood Plan clearly specifies the period for which it is to have effect (2017-2033); it does not include 'excluded development'; and it is the only neighbourhood plan for the area.
32. The 2012 Regulations are made under section 38B of the 2004 Act. These prescribe detailed requirements for neighbourhood development plan proposals and how they are to be consulted upon, publicised, and submitted. My consideration of this matter is addressed in paragraphs 8 to 17 above.

What must the Examiner examine?

33. Paragraph 8 of Schedule 4B to the 1990 Act, as modified by section 38C (5) of the 2004 Act, requires the examiner to consider the following:
- whether the draft plan meets the Basic Conditions. These are defined at sub-paragraph (2);
 - whether it complies with the provision made by or under sections 38A and 38B of the 2004 Act; and
 - whether the area for any referendum should extend beyond the neighbourhood area to which the draft plan relates; and
 - whether the draft plan is compatible with 'the Convention rights,' as defined by the Human Rights Act 1998⁶.
34. Paragraph 11(2) of Schedule 4B, as modified by section 38C(5)(d) of the 2004 Act provides that:
- '(2) A draft [plan] meets the basic conditions if—
- (a) *having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the [plan],*
 - (b).....
 - (c).....

and under the principle of construction codified in relation to domestic law by s.17(2)(a) of the Interpretation Act 1978.

⁶ Section 1 of the 1998 Act defines these as the rights and fundamental freedoms set out in Articles 2 to 12 and 14 of the European Convention on Human Rights, Articles 1 to 3 of the First Protocol to the Convention, and Article 1 of the Thirteenth Protocol, as read with Articles 16 to 18 of the Convention.

- (d) *the making of the [plan] contributes to the achievement of sustainable development,*
- (e) *the making of the [plan] is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),*
- (f) *the making of the [plan] does not breach, and is otherwise compatible with, EU obligations, and*
- (g) *prescribed conditions are met in relation to the [plan] and prescribed matters have been complied with in connection with the proposal for the [plan]”*

35. Basic Conditions (b) and (c), relating to the built heritage, apply to the examination of proposed neighbourhood development orders, but not to that of neighbourhood development plans.

36. Regulations 32 and paragraph 1 of Schedule 2 of the General Regulations, has prescribed a further condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act, as follows -

‘[the] making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects).’

37. Since 28th December 2018, the General Regulations, Schedule 2 paragraph 1, has prescribed a further Basic Condition, namely:

‘In relation to the examination of neighbourhood development plans the following Basic Condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act—

The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.’

38. It is to be noted that if a proposed neighbourhood development plan it is to be made it must meet all of the Basic Conditions specified in paragraph 8(2) - not just some of them.

39. Further, and importantly, the examination process is not intended to put the Examiner into the shoes of the ‘*qualifying body*’ so as to usurp its function and re-make its decisions. The statutory remit of the Examiner is limited.

40. Thus, the examination process is less intrusive than that required in respect of a local development plan document. For instance:

'the remit of an examiner dealing with a neighbourhood plan does not include the requirement to consider whether that plan is 'sound' (as in section 20(5)(b) of the 2004 Act), so the requirements of 'soundness' contained in paragraph 182 of the NPPF⁷ do not apply to a neighbourhood plan. The Examiner of a neighbourhood plan does not consider whether that plan is 'justified' in the sense used in paragraph 182 of the NPPF. In other words, the Examiner does not have to consider whether a draft policy is the 'most appropriate strategy' compared against alternatives, nor is it for him to judge whether it is supported by a 'proportionate evidence base.'

- *Whereas under paragraph 182 of the NPPF a local plan needs to be "consistent with national policy" an examiner of a neighbourhood plan has a discretion to determine whether it is appropriate that the plan should proceed having regard to national policy.*
- *The basic condition only requires the examiner to consider whether the draft neighbourhood plan as a whole is in general conformity with the strategic policies in the adopted Development Plan taken together. I am not charged with determining in respect of each particular policy or element whether there is a tension between the local and neighbourhood plans, and if there is such tension in places, that may not be determinative of the overall question of general conformity.⁸*

41. The concept of 'soundness,' referred to by Holgate J in this case refers to the text in a former edition of the NPPF. This text has now been superseded in the new edition of the NPPF published in July 2021. This retains a section now referred to as 'Examining plans' and refers to the same four requirements for 'soundness.' However, paragraph 37 of the new edition of the NPPF contains a separate reference to the examination process, notably that neighbourhood plans must meet the Basic Conditions and other legal requirements before they can come into force which '*... are tested through an independent examination before the neighbourhood plan may proceed to referendum.*'
42. Thus, although the Examiner has a general discretion whether to recommend modification to bring the neighbourhood plan into line with national policy if he finds points of departure, it is necessary to bear in mind that it would normally be expected that appeal decisions would follow current national policy where it conflicts with a local or neighbourhood plan. A neighbourhood plan that is at odds with national policy is in danger of becoming otiose. Unless the Examiner considers that there is evidence demonstrating good reason to depart from national policy in the neighbourhood, he would be expected to recommend that it be followed.

⁷ The National Planning Policy Framework ('the NPPF').

⁸ See *R(Maynard) v Chiltern DC* [2015] EWHC 3817 (Admin) at [13] per Holgate J.

43. In essence, therefore, the role of the Examiner is to assess whether the draft plan is compliant with the Basic Conditions and other legal requirements. If in the event that the draft plan does not comply with the various statutory requirements, the Examiner then is obliged to consider whether it can be modified so that it does so comply. Other legal requirements include consideration of the NPPF and the NPPG. As the sections on the Legal and Statutory Frameworks draw extensively on the provisions contained in both the NPPF and the NPPG, no further reference will be made to either document at this stage.

The Report

44. The Examiner then produces a report, which contains one of three possible recommendations, namely, whether:

- (a) the draft plan is to be submitted to a referendum;*
- (b) the modifications specified in the report are to be made to the draft plan, and that the draft plan as modified is submitted to a referendum; or*
- (c) the proposal for a plan is to be refused.⁹*

45. The recommended modifications can only be those that the Examiner feels are necessary to ensure that the draft plan complies with the Basic Conditions and the other relevant statutory requirements or are needed for the purpose of correcting errors. If the changes are substantial, then they may have to be the subject of a further round of consultation.

46. The further requirements of the Examiner, as defined in the 2012 Regulations, include considering whether the draft plan complies with the definition of a neighbourhood plan, and the provisions that can be made by a neighbourhood plan; and whether the draft plan is compatible with the European Convention on Human Rights. The Examiner may also make recommendations on whether the neighbourhood plan area for referendum should extend beyond the neighbourhood plan boundaries.

47. In this Report, I shall first consider address the European dimension and the question of human rights. I shall then the Basic Conditions, and then formal compliance with the

⁹ 1990 Act, Sch 4B, para 10(2), applied by the 2004 Act, s 38A(3).

provisions contained within sections 38A and 38B of the 2004 Act. Finally, I shall make recommendations as to the modification or amendment of the draft Policies. The modifications or amendments do not include minor updates to the contents and where necessary, Policy, paragraph, and page numbering. It is recommended that this is undertaken by EHDC, where necessary.

European Law obligations

Strategic Environmental Assessment

48. I am still required to check that the making of the Neighbourhood Plan does not breach EU obligations. This means that I must consider whether there has been compliance with the SEA Directive and SEA Regulations.
49. Directive 2001/42/EC - known as the Strategic Environmental Assessment Directive - on the assessment of the effects of certain plans and programmes on the environment ('the SEA') - provides by Article 3(2) that an environmental assessment is to be carried out for plans prepared for town and country planning or land use. These set a framework for development consent of certain projects, or which in view of the likely effect on protected sites, have been determined to require assessment under the Habitats Directive. Where a neighbourhood plan determines the use of small areas at local level and makes minor modifications to other town and country planning or land use plans, they require such assessment only where Member States determine that they are likely to have significant environmental effects (by virtue of article 3(3)).
50. EHDC undertook a screening assessment of the draft Neighbourhood Plan in September 2022, to determine whether a SEA of emerging Neighbourhood Plan should be screened into the SEA process, informed by consultation with the statutory consultees. The report concluded that the Neighbourhood Plan Revision does not require a SEA because the Plan is not likely to have any significant environmental effects.

Habitats Regulations Assessment

51. Article 6(3) of the Habitats Directive¹⁰ requires that any plan which is not directly connected with or necessary to the management of a protected site but is likely to have a significant effect thereon (meaning that such an effect cannot be excluded beyond

¹⁰ Council Directive 92/43/EEC of 21 May 1992.

reasonable scientific doubt on the basis of objective information), must not be the subject of agreement unless it has been subject to an ‘*appropriate assessment of the implications for the site*’. Further it must have been ascertained that it will ‘*not adversely affect the integrity of the site concerned*.’ If a neighbourhood development plan is assessed and found to cause harm to the integrity of a protected site, Article 6(4) enumerates some conditions under which a plan may exceptionally be approved where the plan must nevertheless be carried out for imperative reasons of overriding public interest.

52. Those obligations have been transposed into national law by Regulations 102, 102A and 103 of the Conservation of Habitats and Species Regulations 2010 (‘the *Habitats Regulations*’). Regulation 102 states:

- ‘(1) Where a land use plan—
- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
 - (b) is not directly connected with or necessary to the management of the site,
- the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.*’
- (4) *In the light of the conclusions of the assessment, and subject to regulation 103 (considerations of overriding public interest), the plan-making authority... must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site...*’

Regulation 102A states:

‘A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 102 or to enable them to determine whether that assessment is required.’

53. Regulation 107(1) of the Habitats Regulations then sets out definitions. ‘*Land-use plan*’ is defined to include a neighbourhood development plan. ‘*Plan-making authority*’ is defined to mean ‘*the local planning authority when exercising powers under Schedule 4B to the TCPA 1990 (as applied by section 38A (3) of the 2004 Planning Act)*’. The term ‘*competent authority*’ is not defined by Regulation 107, but by Regulation 7 it

includes (but not be limited to) a ‘*public body of any description or person holding a public office*’. It includes local authorities and parish councils.

54. Case law establishes that plans cannot be approved in reliance upon the duty to assess the planned projects as and when they come forward, and only approve them at that stage if found not to harm any protected site.¹¹ Consequently, for instance, the fact that there may be ‘*boiler plate*’ language in the statutory development plan stating that projects cannot be approved if they would harm a protected site, cannot itself be sufficient to enable the plan to be approved without assessment, where it allocates or encourages particular development that is liable to harm a protected site.
55. There is no requirement for any formal decision to be made under the Habitats Regulations whether or not an ‘*appropriate assessment*’ has been required. However, the Parish Council will be in breach of Regulation 102 of the Habitats Regulations if in fact a plan is likely to have a significant effect on a European site and has not been assessed.
56. EHDC undertook a HRA screening assessment of the draft Neighbourhood Plan in September 2022. It notes that the HRA in the District Plan reported that it will not result in significant effect, either alone or in combination, upon any European sites. The Neighbourhood Plan does not allocate any sites or growth not accounted for in the District Plan. Therefore, the report concludes that the Neighbourhood Plan Revision does not require an HRA.

Human Rights

57. The Basic Conditions Statement comments that the Neighbourhood Plan is compatible with human rights legislation. In my view, the Neighbourhood Plan is not likely to lead to increased inequalities or discrimination in the plan area. I have identified that some of the policies are identified as having positive impacts on people who may experience disadvantage by virtue of their age or disability.

¹¹ Case C-6/04, *Commission v UK* [2006] Env. L.R. 29 at [51]-[56].

PART 3

THE EXAMINATION

SECTION 4 - VISION AND OBJECTIVES

1. Section 4 of the Neighbourhood Plan sets out the community's Vision. This Vision centres on ensuring that village preserves the character and the rural feel of the Parish. The Neighbourhood Plan will shape the evolution of the Parish to 2033 by meeting the aspirations and needs of the local community. It is stressed that there is a commitment to the preservation of Walkern's historic character and strong rural identity by ensuring that the development in the Parish is sustainable, protects valued natural features, strengthens a sense of community, and enhances the wellbeing of new and existing residents. In essence, the Vision is to ensure that the parish remains a great place to live.
2. The Neighbourhood Plan proposes the deletion of three Objectives (a, b, and c in the original Neighbourhood Plan). These set out objectives relevant to landscape character, biodiversity, the Conservation Area, and the Parish's open spaces. The rationale for the deletion of the 3 objectives is not made in the Neighbourhood Plan. However, the three Objectives, albeit less specific in nature, are implicit within new Objective D. There are also a few minor, inconsequential amendments from the original document.
3. Paragraph 4.3 states that a new Objective has been added relating to the location of new development. The details set out in the objective contained in the introductory sentence of the paragraph are worded differently to those listed in the main Objectives, in particular new Objective E. For accuracy, I recommend a modification to delete the first sentence of paragraph 4.3.
4. I am satisfied that the Vision Statement and Strategic Objectives set out in Section 4 of the Neighbourhood Plan reflect the aspiration of the community as referred to in the Consultation Document. Its vision and strategic objectives, taken as a whole, seek to support the sustainable growth of the parish whilst at the same time safeguarding the rural character of the village, the qualities of its environment and would contribute to the achievement of sustainable development. I am also satisfied that subject to the adoption of the various recommended modifications, set out below, the Vision Statement and the eleven Strategic Objectives will meet the Basic Conditions.

SECTION 5 - NEIGHBOURHOOD PLAN POLICIES

Format and Content

5. The construction and presentation of the Submission Version of the Plan is in general clear. However, the Regulation 16 Consultation version of the Neighbourhood Plan available on the Council's website includes a footer throughout the document describing the document as '*Walkern NP 14 dated 3rd May 2023*'. This is inaccurate. I do not consider that this error has materially misinformed or led to any particular confusion for the public during the consultation process.
6. For clarification purposes, I recommend modifications that the headers and footers, together with background information in the document, are updated to reflect the relevant stage of the Neighbourhood Plan process.

The Neighbourhood Plan

Planning Policy Context

7. For clarity, I recommend a modification that '*October 2018*' is added after the District Plan in line 3, paragraph 1.7.
8. For accuracy, I recommend modifications that the references to NPPF are updated to reflect the December 2023 version and all subsequent references to NPPF paragraph numbers are updated.

Policies Map

9. For accuracy, I recommend a modification that the light green shading shown surrounding the village on the Policies Map for the Village Inset Area, which does not have any policy designation in the Neighbourhood Plan or the District Plan, is deleted from the map.

Policy WLK1 Sustainable Development

10. The revisions in the supporting text usefully update the housing land supply position and the recent development at Froghall Lane. The policy is appropriately reworded to reflect the adopted District Plan and the NPPF, moving the statements which were needed to ensure the Policy 'stood on its own two feet' ahead of the adoption of the District Plan, to the supporting text. However, as amended, the Policy adds little to existing Policy, but this is beyond the scope of my examination to address.
11. The words 'The following 19 policies should be used to ensure' in the Policy are incorrect (there are 20 Policies) and are also ambiguous as it reflects only a partial element of the

Neighbourhood Plan. I recommend a modification that these words are deleted and replaced with *'The Neighbourhood Plan ensures.'*

Policy WLK2 Cherished Views, Vistas and Landscape Features

12. I shall divide this Policy into two parts. First - Cherished Views and Vistas, and secondly - Important Countryside Gaps.

Cherished Views, Vistas and Landscape Features

13. The adopted Neighbourhood Plan identifies seven important views in the parish. The revised Neighbourhood Plan helpfully defines the zone of views more closely in Appendix B and adds a further two Views to the east of the High Street. The Policy replaces the term 'Important' with 'Cherished' views in the title, but this is not reflected in the subsequent Policy content.
14. The 'new' View 8 is defined as 'East from west side of High Street at Glebe View over paddock'. Following my site visit, I can confirm that the view makes a significant contribution to this part of the village and should be recognised as such. The Parish Council have agreed that the Policy can more simply read *'East of High Street at Glebe View'* to be consistent with the Policy wording for other views.
15. View 8, although shown with a Cherished View symbol in the Village Inset Map, does not include the associated labelling. This should be corrected in the final drafting.
16. The Neighbourhood Plan identifies an additional View 9 - East from east side of High Street at Beecroft Lane over paddock. This view is not identified on Figure 26 – Detail of all cherished views in Appendix B. The evidence in Appendix B states that the rationale for the view is to protect a vulnerable listed building. It states:

'The importance of this view is to provide a deterrent to the premeditated or inadvertent neglect of this characterful listed farm building by protecting the historic significance of the view and thereby discouraging a modern replacement.'
17. The evidence submitted appears to protect a heritage asset and its setting, rather than identify an important, cherished view or vista. The view also forms part of the zone of view for View 8. There is unnecessary duplication and inappropriate justification for inclusion of View 9.
18. I recommend modifications that in respect of Views and Vistas the following amendments are made to Policy WLK2:

- Policy Title reflects the content of the Policy by reverting the term ‘*Cherished Views*’ to ‘*Important Views*’
- Bullet point II is amended to ‘*Eight important views and vistas....*’
- Bullet Point 8 is amended to read ‘*View 8 East of High Street at Glebe View*’
- View 9 is deleted with the necessary amendments to the Appendix B (page 58) including the deletion of figure 25 and the subsequent paragraph together with the removal of the Cherished View Symbol on the Policies Map
- Subsequent amendments are needed for consistency with the modification to the Policy Title amendment. This includes amendment to the legends in the Policies Map and the Policies Map for the Village Inset Area, and Figure 26 in Appendix B
- The Cherished Views symbol on the Policies Map for the Village Inset Area at page 17 should be amended to include the notation ‘V8’

Important Countryside Gaps

19. District Plan Policy GBR2 - Rural Area Beyond the Green Belt maintains the countryside as a valuable resource, permitting those developments that require a countryside location or are defined as appropriate development within the countryside. This district policy states that development should be compatible with the character and appearance of the rural area.
20. I consider the new paragraph 6.9, explaining the current Policy context in the District Plan to be unclear and ambiguous. It suggests that the District Plan’s ‘Rural Areas Beyond the Green Belt’ are the same as ‘Important Countryside Gaps’ identified in the Neighbourhood Plan. This is incorrect. Additionally, the purposes of the Green Belt as set out in paragraph 6.9 are also inaccurate. These purposes are set out in NPPF and include: ‘to prevent neighbouring towns merging into one another’ and ‘to preserve the special character of historic towns.’ It is not a stated purpose of the Green Belt to retain village character. It is factually correct that Bedfordshire has a similar policy in its Local and Neighbourhood Plans. However, this is not relevant to Walkern Neighbourhood Plan. I recommend modifications for clarity.
21. Representations made in response to the Regulation 16 consultation find the evidence base supporting the identification of ‘Important Countryside Gaps’ to be limited and ambiguous.
22. The supporting text describes the character of land north of Froghall Lane/west of High Street and land south of Stevenage Road/west of High Street. It identifies the need to retain the special built and rural character of this part of the Conservation Area and its setting (paragraphs 6.9 to 6.11). The description of land to the west of Midsummer Meadow states that the development can be seen from Box Wood (paragraph 6.13). Following my initial set of questions, the Parish Council has set out published material which has informed their decision. From my site visit, I note that land to the north of Stevenage Road rises immediately from Walkern High Street.

Midsummer Meadow is visible from the approach from Stevenage, as is the area of land proposed as an Important Countryside Gap to the north of Stevenage Road.

23. I also agree with the Parish Council that land to the south of Stevenage Road is different albeit important in terms of its historic character and settlement identity.
24. It is my view, the Parish Council's judgements are reasonable, and the assessment is proportionate and sufficiently robust for its intended purpose.
25. However, the Policy is clear in that it is not intended to preclude all development from taking place within the Important Countryside Gap. These areas are not Green Belt where this is a presumption against certain types of development. Where development is proposed within an Important Countryside Gap, the policy requires an assessment to be made of the impact of the physical and visual coalescence of Stevenage and Walkern and the separate character, appearance, and identity of Walkern.
26. In some instances, the supporting text states that development will not be permitted. These statements do not reflect the requirement for Neighbourhood Plans to be positively planned. They are also somewhat in conflict with the Policy itself. I recommend modifications to the supporting text to confirm that new development will be permitted, provided that it does not result in physical or visual coalescence of Stevenage and Walkern or that would undermine the separate character, appearance and/or identity of Walkern.
27. I recommend modifications for the Neighbourhood Plan to be positively planned and to provide clarity for decision makers the following amendments are made:
 - Paragraph 6.9 is deleted and replaced with *'Much of the land between Stevenage and Walkern is designated as Green Belt. A purpose of the Green Belt designation is to prevent neighbouring towns from merging into one another. Additionally, land between Walkern's village boundary and the Green Belt, together with land to the east of the village, is designated in the District Plan as 'Rural Areas Beyond the Green Belt' (Policy GBR2). The purpose of Rural Area Beyond the Green Belt policy is to maintain the countryside as a valuable resource, permitting those developments that require a countryside location or are defined as appropriate development within the countryside.'*
 - Amend paragraph 6.12 to read: *'To retain the special character of the conservation area, any significant development behind the High Street to the west should demonstrate that it will not have an adverse impact upon the character of this part of the village or the setting of the conservation area.'*
 - Delete the final two sentences of paragraph 6.13.
 - Delete the final sentence of paragraph 6.17

- Add at 6.17: *'Land lying in the Rural Area Beyond the Green Belt between Walkern and Stevenage is defined in this Plan as an Important Countryside Gap and is shown on the Village Inset Policies Map. New development will be permitted within the Important Countryside Gap provided that it does not result in physical or visual coalescence of Stevenage and Walkern or adversely impact the separate character, appearance, and identity of Walkern.'*

Policy WLK3 Walkern Conservation Area

28. For clarity, to remove ambiguity for decision makers and to align with national policy, I recommend modifications that Part I of the Policy is rewritten, as follows:

'Development within the Walkern Conservation Area should be preserved or enhanced. The elements of the Conservation Area which make a positive contribution to it, as defined in the Walkern Conservation Area Character Appraisal and Management Proposal 2016 (or an updated version) should be preserved in a manner appropriate to their significance.'

The second paragraph of the Policy is unclear as written. I recommend modifications for clarity that part ii. is replaced with:

'Development will be supported where it makes a positive contribution to the rural landscape of the Beane Valley and the setting of Walkern's Conservation Area.'

Policy WLK 4 Non Designated Heritage Assets

29. The majority of the assets listed in the Policy form part of the fabric and heritage of the neighbourhood area. In my view, with the exception below, the descriptions indicate that due to their age, rarity, architectural, archaeological, or historic interest or their landmark status, represent features which are reasonably designated as non-designated heritage assets. There are two issues that I address: Walkern Gardens and the Bridge and Ford at Church End
30. First, there is a degree of ambiguity between the supporting text and the Policy as it relates to Walkern Gardens. The Policy identifies the Gardens at Walkern Hall as a non-designated heritage asset although the extent of the Gardens is not detailed in the Neighbourhood Plan.
31. I note the District Council supports the identification of the Gardens as a Non- Designated Heritage Asset. The District Council confirms that the built structures within the Walkern Hall Historic Park and Garden that were in the same ownership at the date of listing and pre-date July 1948 are considered to be curtilage listed, and Listed Building Consent may be required for proposals that affect them. However, this protection does not extend to the land itself. The District Council also highlight District Plan Policy HA8 Historic Parks and Gardens which provides a degree of protection.

32. In response to my questions relating to the boundary of the Gardens, the Parish Council and the District Council have offered two different boundary areas. It is not my role to resolve this issue in this Examination. Indeed, there has been no direct consultation with the landowners of the Non-Designated Heritage Assets. Nor has there been any response through the Regulation 14 or Regulation 16 consultation which would have provided further insight into the extent or accuracy of the boundary.
33. Given the two opinions, I do not recommend modifications whereby either boundary is included in the Neighbourhood Plan. However, this does lead to a degree of ambiguity which is not helpful to decision makers. I would hope that this aspect can be resolved appropriately through the preparation of the updated Supplementary Planning Guidance being prepared by the District Council.
34. Secondly, I viewed the Bridge and Ford at Church End on my site visit. The bridge is of contemporary design with asphalt surfacing and metal handrails. In my view, the bridge does not represent a feature which is appropriate to classify as a non-designated heritage asset.
35. I recommend modifications that the Bridge and Ford at Church End are deleted from the Neighbourhood Plan at Policy WLK4 and at Appendix C including Figure 30.

Policy WLK5 Archaeology

36. The revised plan includes a new Policy supporting the identification and protection of archaeological sites reflecting ongoing project work in the Neighbourhood Plan area.
37. Part II of the Policy simply rehearses District Plan Policy HA3 Archaeology and therefore I recommend modification whereby this part of the Policy is deleted.

Policy WLK6 Biodiversity

38. The Environment Act 2021 sets out the components of mandatory biodiversity gain. For major sites, the requirement came into force on 12th February 2024. For small sites this will be applicable from 2nd April 2024. Household applications are exempt from this requirement and therefore the requirement does not apply to all development as required by the Policy. As a mandatory requirement, including the need to use the Biodiversity Metric, it should not be duplicated in planning policy.
39. NPPF is clear (at paragraph 186) that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission

should be refused. Policy WLK6 should be updated to reflect national policy in accordance with the Basic Conditions.

40. I recommend a modification that Policy WLK6 is updated to read:

‘Wildlife and significant habitats including the River Beane will be protected from any significant harmful impacts of development, including pollution, unless avoided, adequately mitigated or compensated for in accordance with national policy.’

41. Similarly, I recommend a modification that the supporting text at paragraph 6.37 is also updated to reflect national policy in accordance with the Basic Conditions. The final sentence of paragraph 6.37 should be modified to:

‘There are several sites where species and habitats need to be protected and development proposals will be permitted, only where harm can be avoided, adequately mitigated or compensated for in accordance with national policy.’

42. The supporting text (at paragraph 6.33) states that the Local Wildlife Sites are shown on the policies maps. They are not so included, but appear in Appendix D. I recommend a modification to the effect that the Local Wildlife Sites detailed in Appendix D are shown on the Policies Maps. If the Local Wildlife Sites cannot be shown on the Policies Map, I recommend a modification that the reference in paragraph 6.33 to the sites shown on the Policies Map is deleted.

Policy WLK7 Protection of Trees and Hedges

43. Part II of the Policy seeks to retain Ancient Trees with recognisable amenity value. NPPF (at paragraph 186c) seeks to protect the loss of irreplaceable habitats including Ancient Trees and therefore the Policy rehearses national policy. The term ‘*recognisable amenity value*’ does not provide sufficient clarity for decision makers. For these reasons, I recommend a modification to delete part II from policy WLK7.
44. The Walkern Tree Charter in Appendix 3 is a commendable statement to secure the longer term sustainability of the natural environment in Walkern with partners and stakeholders. However, the Policy as worded sets out the purpose of the charter rather than providing policy advice. For clarity I recommend a modification that Part IV is amended to:

- Delete Part II
- Amend Part IV to:

‘Development will be supported that adopts the principles in the Walkern Tree Charter as set out in Appendix E which provides information to assist developers to recognise the importance of trees in Walkern.’

Policy WLK8 Protected Recreational Open Spaces

45. The proposal to add the new recreational and open space associated with the new development at Midsummer Meadow recognises the importance of the site to the local community. There is appropriate justification to include the site as a Protected Recreational Open Space.
46. The Neighbourhood Plan seeks to identify two existing Local Green Spaces as Protected Recreational Open Spaces namely PROS5: River Bean Walk, north of Winters Lane, and PROS6: River Beane Walk, south of Winters Lane.
47. As existing Local Green Spaces, development on these sites would be assessed against the provisions of Green Belt policy as set out in NPPF. Development within a Protected Recreational Open Space is subject to a different set of local tests set out in District Plan policy CLR1. The local tests include the potential that existing Protected Recreational Open Spaces could be replaced by alternative provision where specified conditions are met. Such conditions do not exist in respect of Local Green Space policy. Therefore, I find the proposal for a site to be both a Local Green Space and a Protected Recreational Open Space to be ambiguous; add a layer of uncertainty for decision makers; and be inconsistent with the Green Belt policies’ as far as they apply to Local Green Spaces.
48. I recommend the following modification -

PROS5: River Bean Walk, north of Winters Lane and PROS6: River Beane Walk, south of Winters Lane be deleted from Policy WLK8, the Village Inset Map and supporting text at paragraph 6.51.
49. The Neighbourhood Plan Revision deletes the information at Appendix E which provides guidance to the decision maker on the key attributes of each of the existing PROS. I recommend a modification for clarity whereby -

Appendix E to be reinstated together with a statement on the attributes of PROS4 Midsummer Meadows.
50. For clarification purposes, I recommend the removal of the ambiguity and to facilitate the alignment with and not duplication of the District Wide policy, I recommend modifications’ as follows:
 - The words - ‘as identified in the Policies Map, and detailed in Appendix I’, are added after the words ‘the following sites’ If the Protected Recreational Open Spaces cannot be shown on the Policies Map, I

recommend a modification that the words *'and detailed in Appendix I'*, is added after the words *'the following sites'*

- Part II of the Policy should be redrafted to read:
'Development proposals that result in the loss of reduction of the Protected Recreational Open Space should be assessed against the criteria in Policy CFR1 part VI. Any enhanced, replacement provision should be as accessible to the local community as the current recreational open space.'

Policy WLK9 Green Corridors

51. For consistency I recommend a modification to *the* Policy at part I, bullet point 3, after *'... through Walkern Village'* the text is deleted and inserted at the end of paragraph 6.55.

Policy WLK10 Local Green Space

52. I am in no doubt that Box Wood is an asset which is highly valued by the local communities of both Walkern and Stevenage. It is also clear that the site has numerous environmental and historic designations which provide a wide range of protections. I am also aware that policy guidance recognises that different types of designations are intended to achieve different purposes and therefore it may be appropriate to identify sites as a Local Green Space in addition to other designations.
53. However, I must have regard to national guidance which requires me to assess whether the Local Green Spaces are extensive tracts of land. There are no hard and fast rules about the definition of the size of a Local Green Space.¹² Despite the proposal in the Neighbourhood Plan to separate Box Wood into three Local Green Spaces, it is a whole entity and must be seen as such. I conclude that the proposals represent an extensive tract of land and as such I recommend modifications that *Box Wood* is deleted from Policy WLK10, the policies map, the supporting text (paragraphs 6.59 to 6.61), and Appendix G and paragraph 6.62 should be amended to 8 sites.
54. I am satisfied that the evidence in Appendix G demonstrates that the two additional Local Green Spaces at the URC Graveyard, High Street (LGS 6), and the Graveyard at Froghall Lane (LGS 7) comply with the assessment criteria in NPPF necessary to identify the sites as Local Green Spaces.

Environmental Quality

55. For clarity at paragraph 6.66, I recommend a modification that *'whilst supporting'* be added before *'microscale renewable energy.'*

¹² See Paragraph: 015 Reference ID: 37-015-20140306.

Policy WLK11 Land south of Froghall Lane (Midsummer Meadow)

56. The Policy states that no buildings or impermeable hard surfaces will be constructed in the southwest and northwest corners of the site. The supporting text at paragraph 6.72 retains the adopted Neighbourhood Plan approach which resists such development in the southwest of the site.
57. In response to my questions, the Parish Council has confirmed that the Policy is correct, and the supporting text is out of date. For clarity and to remove an inconsistency, I recommend a modification:
- the final sentence of paragraph 6.72, line 7, is updated to state: *'In the south west and north west corners of this space, no buildings....'*
58. The East Hertfordshire Parking Standards adopted as Supplementary Planning Guidance by the District Council sets out the necessary parking provision required for residential development. I note that for sheltered housing and one bedroom properties, the parking standards are less than two spaces per dwelling. For dwellings with three or more bedrooms, the parking standards require at least 2.5 parking spaces per dwelling. The Neighbourhood Plan policy would appear to have the perverse effect of reducing the number of parking spaces required where the dwelling has more than 3 bedrooms.
59. The Neighbourhood Plan approach is not consistent with the adopted parking standards set out in the District Plan and the Supplementary Planning Guidance. For clarity and to avoid conflict with the District Plan, to provide the flexibility required by national policy and to ensure this part of the policy is positively worded I recommend a modification that:
- Part (d) is amended to *'Proposal should retain parking spaces in accordance with East Hertfordshire's Parking Standards to ensure that on street parking does not occur on surrounding streets.'*
60. I recommend a modification that a minor error is corrected to delete *'bounding'* in part 1(b) of the Policy.

Policy WLK12 Housing Infill Sites

61. Walkern is identified in the District Plan (Policy VILL1) as a Group 1 Village being one of the most sustainable villages (paragraph 10.3.2 of the District Plan). The policy makes it clear that small-scale infill sites within the village boundary are supported. Brownfield sites are preferred to greenfield sites.

62. The more recent NPPF documents, since the adoption of the made Neighbourhood Plan, have promoted high quality development through the provision of Design Guidance and Codes. Policy WLK12 sets out generic guidance which is appropriate to the Neighbourhood Plan area and meets the Basic Conditions.
63. The supporting paragraph at 6.75 states that exceptional circumstances will be required for support to be given to proposals immediately adjacent to the village. Such a test is generally required in terms of proposals that have an impact upon land within the Green Belt, irreplaceable habitats, Listed Buildings, and assets of the highest historic significance. Therefore, the exceptional circumstances test does not accord with national policy nor the policies in the District Plan which support development in the countryside including policy GBR2 Rural Areas Beyond the Green Belt. As such the policy is not in accordance with the Basic Conditions.
64. I recommend a modification that the second sentence and final sentence in paragraph 6.75 is deleted.

Policy WLK13 Rural Homes

65. NPPF paragraph 84 states that isolated homes in the countryside may be supported where the *‘development would re-use redundant or disused buildings and enhance its immediate setting’*. Policy WLK13 Rural Homes requires the building to be of architectural merit. The policy as drafted is not consistent with national policy. I recommend a modification that part I of the policy is amended to reflect national policy to state:

Amend part 1 to ‘Outside the village boundary of Walkern, high quality conversions to single rural homes of Local Needs Affordable Housing, will be supported where development proposals are in accordance with national policy or the policies contained within the District Plan.’

66. The District Council is satisfied that the local connections approach in Policy WLK13 in the Walkern Neighbourhood Plan is broadly consistent with the District Plan. The District Council states that the purpose of District Plan Policy HOU4 is for rural exception sites to meet local affordable housing need in the district. When allocating from the housing register a local connection to the parish is usually found, but if there is no-one with a connection, it is usual for local lettings schemes to consider households outside the parish. However, rural exception sites should meet the identified housing needs of East Herts residents, not the needs of adjoining local authorities.
67. Therefore, in accordance with the District Council’s comments, I recommend a modification to the wording of WLK13, as follows -.

Amend paragraph under point b, to include reference to a local connection in East Herts, as follows:

‘.....If no applicant qualifies under the first set of criteria, those who are resident in, or have a strong local connection with neighbouring parishes will be eligible. If there are no nominations from the rural parishes within East Herts, then nominations from those in greatest need from within the district will be acceptable.’

68. Paragraph 6.77 states that ‘Rural exception sites and other single rural homes will be supported where there is a demonstrable need.’ This does not align with national policy (NPPF at paragraph 84) which sets out the circumstances in which isolated homes in the countryside may be permitted. I have no evidence before me which suggests that Walkern Neighbourhood Plan Area should adopt a different approach.

69. I recommend a modification that the final sentence in the supporting text at paragraph 6.77 and part IV of the policy is replaced with:

‘Other single rural homes in the countryside will be supported where development proposals are in accordance with national policy or the policies contained within the District Plan.’

Policy WLK14: Design of New Development

70. The more recent NPPF documents, published since the adoption of the Neighbourhood Plan have promoted high quality development through the provision of Design Guidance and Codes.

71. To avoid duplication with Building Regulation standards, provide flexibility, consistency and for clarity, I recommend modifications the following amendments to Policy WLK14:

- Delete (g) in section (f)
- In section (l) replace ‘*should have their own modest garden space*’ with ‘*access to a modest garden space, where appropriate.*’
- In section (n) delete ‘*...and electric charging points should be included in any new build in accordance with the current Building Regulations*’
- In paragraph 6.82 – replace ‘*should be exceeded*’ with ‘*East Herts Parking Standards should be adhered to whilst exceeding the targets will be welcomed.*’

Policy WLK15: New Businesses

72. No comments.

Policy WLK16 – Farm Diversification

73. The Woodland Creation Offer (EWCO) supports the creation of new woodland on areas as small as one hectare. The Environmental Land Management Scheme reward environmental land management for Sustainable Farming Incentive, Local Nature Recovery and Landscape Recovery. Such schemes are not examples of the way in which the traffic impact of a development proposal may be mitigated. As such, the examples are not relevant.
74. I recommend a modification that ‘*such as England Woodland Creation Offer (EWCO) and Environmental Land Management Scheme (ELM)*’ is deleted from Part II of Policy WLK16.

Policy WLK17 – Home Businesses

75. No comments

Policy WLK18 – Sustainable Transport Provision

76. Hertfordshire County Council representations seek to ensure that the Neighbourhood Plan is more closely aligned with its Active Travel objectives, emerging Local Cycling and Walking infrastructure Plan for East Herts and funding priorities. The proposed amendments are not required to meet the Basic Conditions and I make no modifications in respect of these comments.

Policy WLK19 – Valued Community Assets

77. The Policy helpfully identifies the community facilities that fall within the provisions of Policy CFLR8 of the District Plan – Loss of Community Facilities. The facilities represent those which are important to the community. As the list includes a business, rather than a public or community use, the policy should also include reference to Policy ED1 and ED2 Employment of the District Plan which sets out the criteria against which the loss of a site or premises will be assessed.
78. I recommend a modification that Part I of the Policy is amended to:
- ‘The proposed loss of the valued community assets listed below will be assessed, where appropriate, in accordance with District Plan Policies CFLR8, ED1 and ED2. New community assets will be considered against District Plan Policy CFLR7.’*

PART 4

CONCLUSIONS

1. In essence, subject to the adoption of the various recommended modifications and amendments set out above made in order to address various perceived deficiencies in the draft Neighbourhood Plan, I am satisfied that it should thereafter be compliant with the statutory requirements. The Policies set out in the draft Neighbourhood Plan are broadly justified by legitimate aims protection of the environment; amenity of local people; support for the local economy; conservation of landscape and local heritage. I am also satisfied that they do not strike an intrinsically unfair balance. I am further satisfied that the Policies will in general conform with the existing statutory development plan and support sustainable development.
2. Thus, in my judgment, no referendum is required.

Edward Cousins
Examiner

Radcliffe Chambers

29th April 2024

WALKERN NEIGHBOURHOOD PLAN 2021 - 2033

First Revision



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Foreword

The residents of Walkern recognise that the unique location of the parish gives all its inhabitants the many benefits of living in the beautiful surroundings of the Mid Beane Valley. The Village is surrounded by agricultural fields lined with, in some cases, ancient hedgerows, native woodland, wildflowers among our grass verges and a variety of walks for our wellbeing and interest.

The Beane chalk stream runs through the parish and over many years residents have enjoyed the stream by paddling in it and feeding the resident ducks and, on occasions, the fish too. Our wildlife is abundant from visiting birds, which many residents feed and make homes for. We also have a herd of deer regularly passing through the village over the fields to Box Wood, kingfishers living and nesting near to humans and foxes and badgers taking a walk down the High Street or through our back gardens. Then there are also slow worms, frogs and hedgehogs that survive largely thanks to residents who make sure there is enough food and shelter.

Walkern has a vast history from families that can trace their lineage back several generations, to the many interesting, listed buildings and our two remaining listed churches both of which have their own history. Firstly, St. Mary's with links to the Domesday Book and then secondly, the United Reformed Church with its rare tree just quietly observing passers-by. Our three graveyards are cut and tidied by volunteers as well as paid gardeners and again they hold interesting information, which a resident has documented. Our War Memorial also has its stone cleaned and area tidied by two dedicated volunteers.

Most of the village is in a conservation area. The Walkern Sports and Community Centre has been operating for many years but is truly coming into its own now with a dedicated committee of volunteers hiring out the updated hall to people inside and outside of the village for a variety of events. The sports field is appealing to various age groups with a variety of outdoor fitness equipment suitable for all residents from the age of fourteen including some equipment specifically designed for less abled users. The field for football and cricket is regularly mown and well-tended with benches to sit at and enjoy the surroundings, as well as fitness classes inside and out and there are also further plans to provide additional outdoor services for the benefit of all residents soon.

The central play area for younger children has had a recent makeover and is about to have further improvements made for safety reasons and to give the area more appeal to parents and children alike, with further shrub planting and play equipment planned. Our primary and nursery schools give our children a healthy green area to learn and play in and they are an integral part of our community.

Finally, and most importantly there are the people themselves, many of whom volunteer to help others by running clubs, producing the Walkern Journal ten times per annum, running and supplying a food bank at St. Mary's, helping maintain the churches and grounds, using their skills wherever required. Our allotment ground plots are fully occupied with tenants working hard to grow a variety of fruit and vegetables throughout the seasons.

We have a choice of two cafes and two public houses offering residents, visitors, cyclists and walkers a place to rest as well as eat and drink. Walkern is lucky to have a well-stocked local shop at the heart of the community.

All the above helps to make Walkern a thriving village and a pleasant place to bring up children, walk the dog, retire to and ultimately to enjoy the beautiful countryside.

The Localism Act, which came into being in November 2011, devolves greater powers to councils and neighbourhoods. Neighbourhood development plans come out of the Government's determination to ensure that local communities are actively involved in the decisions that affect them. With continually changing planning legislation and national guidance, we hope that this statement stays true. The Walkern Neighbourhood Plan establishes a vision for the whole Parish to help deliver the local community's wishes and needs for the original Plan period 2017-2033 and the updated Plan (2021 - 2033) builds on this. The Neighbourhood Plan is a statutory document that has been incorporated into the District Planning Framework and is used by East Herts Council to assist in determining planning applications in the Neighbourhood Plan Area.

Our Plan has been produced by residents, with the support of the Parish Council. The Walkern Neighbourhood Plan Group consulted and listened to the community and local organisations on a wide range of issues that influenced the wellbeing, sustainability, and long-term preservation of our rural community. Every effort has been made to ensure that the views and policies contained in the Neighbourhood Plan reflect the opinions of a high percentage of Walkern residents.

Walkern and its environs has changed considerably over the last 60 years. We recognise that this is likely to continue up to 2033 (our Neighbourhood Plan period). We have not limited the Neighbourhood Plan to just shaping new housing developments. The vision and objectives set out in the document broaden the original Plan to include social, economic, and environmental issues such as transport, employment, education, flooding, landscape, heritage and wildlife. This updated version goes further to include preservation of our trees and hedges, defines infill, lists community assets and provides guidance on design.

Our consultation with our community and others has ensured that the Neighbourhood Plan conforms to the objectives of the Localism Act 2011. It will supersede the original Plan and sit alongside East Herts District Plan.

Tom Deffley, Chair of Walkern Parish Council (2019-2023)

1 Introduction

Purpose

- 1.1 The Walkern Neighbourhood Plan (referred to as the Neighbourhood Plan or the Plan) has been written in response to the rights given to local communities through the Localism Act 2011 to shape development in their areas. It has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended) and sets local policies to be used in determining planning applications.
- 1.2 The Neighbourhood Plan was first adopted in 2018. The Walkern Neighbourhood Plan First Revision 2021 - 2033 has been revised to reflect changes in policy at national level and physical changes in the Neighbourhood Plan area.
- 1.3 The Parish Council has monitored planning decisions to make sure that the Neighbourhood Plan is effective and have found permissions given for new developments which are not in keeping with the village.
- 1.4 Local circumstances have also changed, including the construction of the Froghall Lane development, threats to the Scheduled Monument and Ancient Woodland at Box Wood and the loss of the doctor's surgery. There has been continued development pressure on the village and new developments in the hamlets and on farmsteads.
- 1.5 To ensure the Walkern Neighbourhood Plan remains effective and up to date a review of the Plan has been undertaken by Walkern Parish Council. This revised version of the Neighbourhood Plan will ensure the policies contained within it make it clear where development is acceptable, what it should look like and what should be protected.

Submitting Body and Neighbourhood Plan Area

- 1.6 Walkern Parish Council is the qualifying body for the Neighbourhood Plan. The whole Parish of Walkern was formally designated as a Neighbourhood Area through an application made under the Neighbourhood Planning (General) Regulations 2012 (part 2 S6) and approved by East Herts District Council on 6th January 2015. The Neighbourhood Area is shown on the map in Figure 1.

Planning Policy Context

- 1.7 Walkern Parish is in the District of East Hertfordshire and the County of Hertfordshire. The Neighbourhood Plan is in general conformity with the Development Plan and in particular with the strategic policies in the East Herts District Plan (EHDP) October 2018, which was adopted on 23rd October 2018 by East Herts District Council (EHDC) and covers the period 2011 - 2033. Other documents that have been taken into account in the preparation of this Plan are the Local Transport Plan (LTP) and the Minerals and Waste Local Plans prepared by Hertfordshire County Council (HCC). The current planning documents can be found on the East Herts Council and Hertfordshire County Council websites.

1.8 The Neighbourhood Plan considers the three overarching objectives of achieving sustainable development and the presumption in favour of sustainable development in the National Planning Policy Framework (NPPF) December 2023 paragraph 8. All subsequent references to the NPPF relate to the NPPF December 2023 Regard has also been taken of current National Planning Practice Guidance (NPPG). Further details of how the Neighbourhood Plan accords with national planning guidance can be found in the Walkern Neighbourhood Plan Basic Conditions Statement.

Monitoring and Review

1.9 Walkern Parish Council will continue to monitor the Neighbourhood Plan to determine its relevance and will consider further reviews, if necessary.

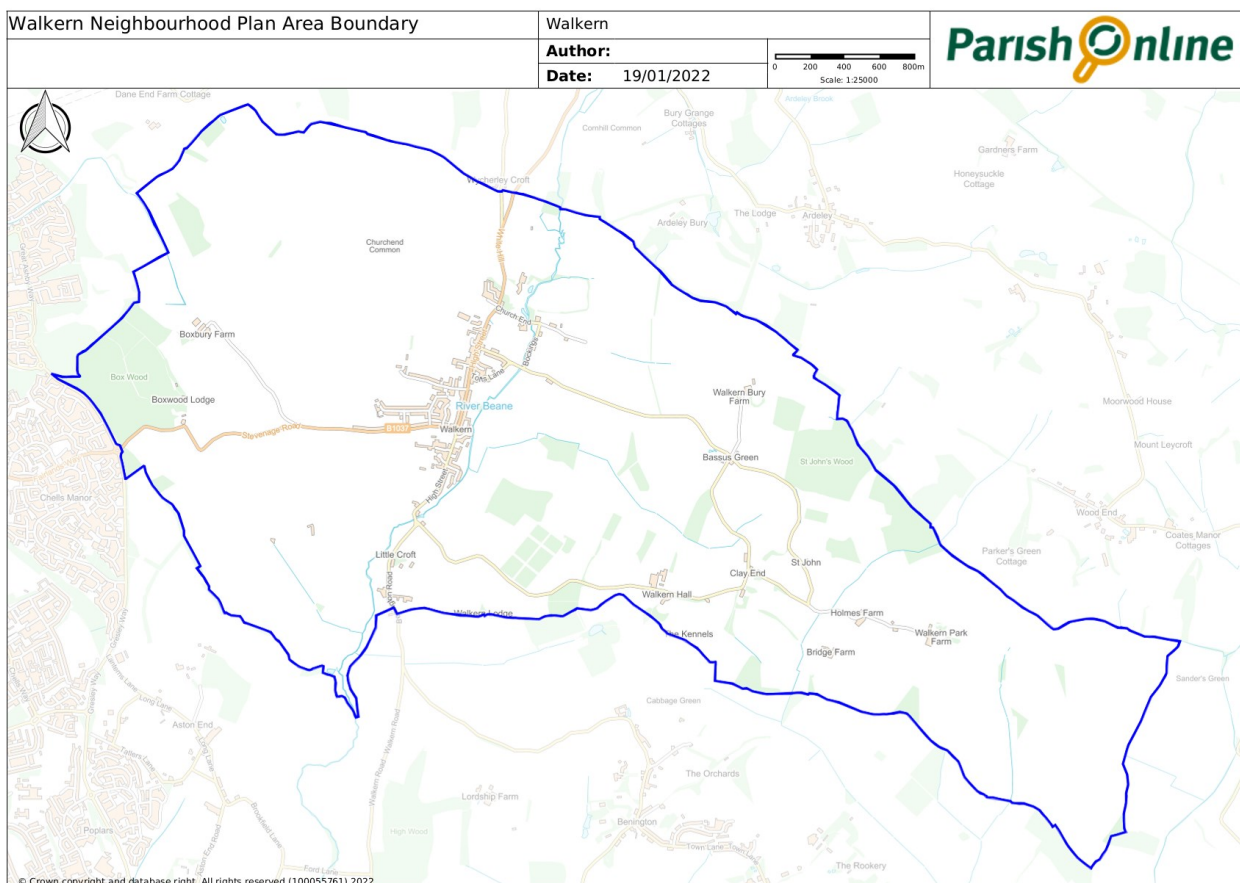
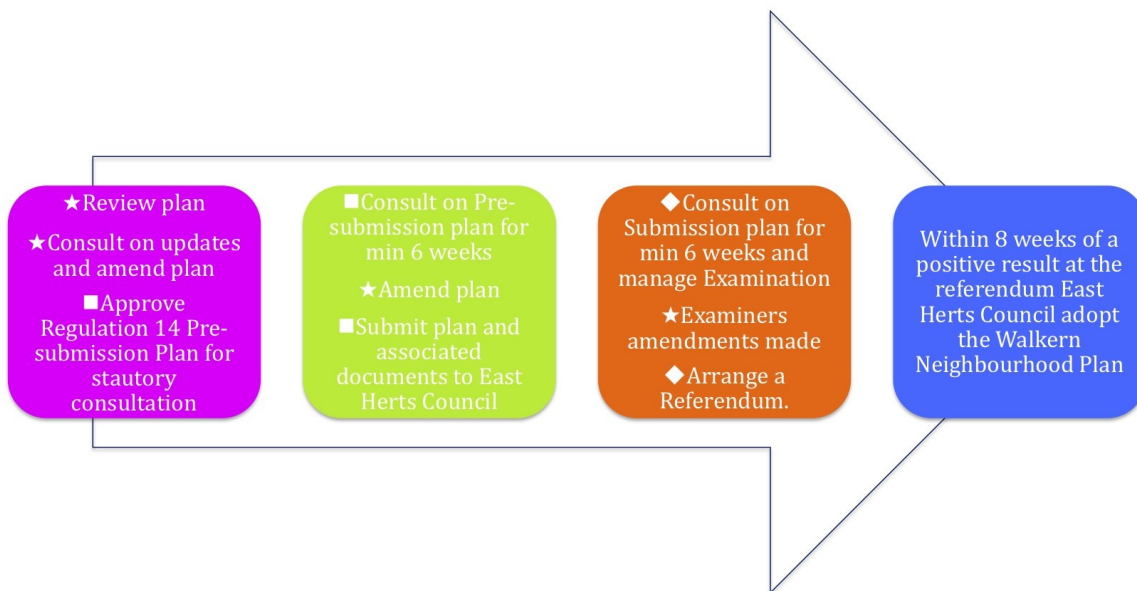


Figure 1: Neighbourhood Plan Area

2 Process Summary

Planning Development Process

- 2.1 Walkern Parish Council first resolved to prepare a neighbourhood plan in May 2014. A group of residents, the Walkern Neighbourhood Plan Group (WNPg), was formed to prepare the Plan on behalf of the Parish Council.
- 2.2 The First Revision of the Neighbourhood Plan was agreed at a Walkern Parish Council meeting on 1st October 2020.
- 2.3 The original Neighbourhood Plan has been used as the basis for the review. It has been amended following consultation with the community and other stakeholders, by Walkern Parish Council with the help of the original planning consultant who was familiar with the village and the objectives of the Neighbourhood Plan.
- 2.4 There was a commitment in the original Plan to monitor its continued relevance and undertake a review in five years. Although it is only four years since the adoption of the Plan, most of the content was written many months earlier. Monitoring has revealed weaknesses in the policies and the need for changes in the original text, including expansion and clarification of some statements. Our Green Belt and the environment in the Rural Area Beyond the Green Belt are under threat and any further development must be sustainable. The impact of the eastern extension of Stevenage into the Neighbourhood Plan area, will increase traffic and pollution with extra vehicles using Walkern village as a shortcut to the A507, A10 and A120.
- 2.5 This Plan is a First Revision of the original adopted Plan. The process chart below shows how the revision of the Plan progressed.



Key: ★ Walkern Neighbourhood Plan Group
■ Walkern Parish Council
◆ East Herts District Council

Figure 2: Process Chart for Preparation of the Plan

- 2.6 The initial survey which was undertaken to gather views about the Parish is still relevant. In the absence of a Parish Plan or design statement, the survey results formed the basis of the key policy areas for the Neighbourhood Plan. The key policy areas in the Neighbourhood Plan are:
- Environment (including environmental quality, heritage, climate change, pollution and flooding, biodiversity, trees and hedges, and green corridors)
 - Housing and Development (including design and infilling)
 - Employment and Business (to protect the local economy and providing for working from home)
 - Traffic and Transport (including sustainable transport and the impact of motor vehicles)
 - Facilities and Services (including wellbeing, community, and leisure).
- 2.7 In a workshop guided by the planning consultant a vision and several objectives were developed under each key policy area. Both were subject to consultation with the community. Both have been reviewed and consulted upon again. A table showing how the key objectives will be achieved through planning policies, can be found in [Appendix A](#).
- 2.8 The preparation of the original Plan was delayed when a large site on Froghall Lane was refused outline planning permission. The applicant lodged an appeal and following a public inquiry the appeal to build up to 85 new homes was granted. East Herts Council acknowledged that this level of development would satisfy the housing requirement for the village as set out in District Plan Policies DPS3 and VILL1. As a result, neither the original nor the revised Neighbourhood Plan allocates any sites for housing development.
- 2.9 Many ideas and suggestions on how to improve the lives of people living and working in the Parish were collected during the Plan preparation process. Those issues and suggestions that could not be achieved through the planning process have been captured in an Action Plan which is attached at [Appendix K](#).

Community Engagement

- 2.10 A Consultation Statement was produced to accompany the Neighbourhood Plan. The statement outlines the process of community engagement, lists consultees, and describes the engagement techniques used and events held including reports of engagement events.
- 2.11 The [Parish Council website](#) updated the community on process with the revision of the Neighbourhood Plan.
- 2.12 On Sunday 1 August 2021 the Parish Council held an open event at the Walkern Sports and Community Centre. Villagers were able to read display boards explaining why the Neighbourhood Plan was being updated and filled in questionnaires to record their views. There was a general understanding of the purpose of the review of the Neighbourhood Plan. Feedback gathered from the community at this event shaped the Regulation 14 draft of the Neighbourhood Plan, refining its objectives and strengthening its policies. The results are appended to the Consultation Statement.

Evidence Base Overview

2.13 Evidence to support the preparation of the Neighbourhood Plan was gathered continuously throughout the preparation process. The analysis, objectives and policies in the Neighbourhood Plan have drawn on a wide variety of sources.

These include:

- Hertfordshire Environmental Records Centre
- Hertfordshire Gardens Trust
- Historic Environment Record (HCC)
- Historic England
- Natural England (via Magic)
- East Herts District Council
- Parish Online to improve mapping capabilities
- ONS to provide initial results of the 2021 Census
- Local Businesses
- River Beane Restoration Association
- Environment Agency for an up to date flood map
- Locality on how to revise a Neighbourhood Plan

2.14 More detailed information on the evidence base can be found in the Consultation Statement and in the Appendices and supporting documents accompanying the Neighbourhood Plan.

3 The Parish of Walkern

Location and Main Features

- 3.1 Walkern Village lies a little over a mile to the east of Stevenage with the Parish boundary abutting the town at Box Wood. Apart from Walkern Village there are two small hamlets of Clay End and Bassus Green, located in the east of the Parish. The rural nature of the Parish is a stark contrast to the new town situated on its boundary.
- 3.2 The predominant natural feature of the Parish is the valley of the River Beane, a rare chalk stream that bisects the area, running north to south parallel to Walkern High Street.
- 3.3 The area of the Parish is approximately 12,100 hectares with 1541 'usual' residents living in 621 households, at the last census (2011).

History

- 3.4 Walkern is noted as the home of Jane Wenham, who in 1712 was the last woman in England to be convicted of witchcraft and condemned to death. It is also one of only 22 places in England with a direct link to the Magna Carta. The effigy of Baron William de Lanvalei, one of the Barons elected to enforce the law of the Magna Carta eight centuries ago, lies in St Mary's Church.
- 3.5 The parish Church of St Mary the Virgin is one of the oldest village churches in Hertfordshire, with a Saxon wall and rare chalk crucifix dating back to the mid-10th century. The village had several mills for grinding wheat with the original medieval mill first located near the church and then moved down stream to the southern end of the village and later rebuilt and converted to steam power. This continued in operation until the Second World War. To the west of the High Street is a rare octagonal dove house built around 1700. The High Street itself was not metalled until 1930 and streetlights were installed in 1938.
- 3.6 After the war in 1946 Walkern was self-sufficient as an agricultural village with 34 businesses providing the everyday needs of its residents. Trades included a shoe shop, general store, butcher, baker, greengrocer, tobacconist, rug maker, seamstress, coal merchant, wood yard, beekeeper, plus a brewery, four pubs, several churches and large farms employing many residents.

Walkern Today

- 3.7 The village today still has several shops, including a convenience store/post office, a nail and beauty shop, a photographic and hair salon (by appointment only), two tearooms, two pubs, a garage and petrol station, and a seasonal Christmas shop. Farms still operate, but with very little staff. The Piggeries on Benington Road and commercial units at Manor Farm on Dove House Lane accommodate small businesses but altogether, these provide very little employment and so most residents travel outside the village to work, or work from home.

- 3.8 Public transport in the village is poor and without a car, residents have to rely on a limited daytime bus service or taxis to reach Stevenage town and rail station. Coaches ferry children to and from the middle school and college in Buntingford. From September 2022 many children will be required to attend Stevenage schools and no longer Buntingford. With no coach provision this means that existing transport arrangements are inadequate. On-street parking and traffic congestion is part of daily life in Walkern, particularly in the High Street and in the vicinity of the school. This is exacerbated by traffic including heavy lorries using the B1037 as a back route out of Stevenage.
- 3.9 People like living in Walkern Parish and value their rural surroundings highly, according to the Neighbourhood Plan survey and feedback from consultation events. With approximately 32% of respondents to the CDA Herts Housing Need Survey 2017 (CDA 2107 p.12) having lived in Walkern for more than 20 years, this indicates the relative stability of the community. House prices in the Parish are high. There were only 9 properties sold in Walkern in the 12 months to April 2022 with an average price of £379,333. One of these was a flat. The average price of houses sold was £404,500.
- 3.10 The recommendations of the CDA report on housing need in Walkern indicate that, in order to serve the local community, 16 affordable units should be identified for local residents. This was further clarified as the most significant need being for two bed homes for small three person families (7 units), one bed homes for single people (5 units), and three bed homes for four person families (4). Of the 31 respondents who desired affordable homes, only 2 asked for bungalows and 7 asked for flats. Almost 50% of respondents who commented on where the affordable housing should be located identified the land at Froghall Lane.
- 3.11 The village store is an important facility for residents and was designated an Asset of Community Value, providing a local meeting point as well as an essential service for those who do not have private transport. Other private community facilities that are particularly valued are the Yew Tree and White Lion pubs and the United Reform Church (URC), which has been completely renovated with a new kitchen and now offers facilities for local groups to meet.
- 3.12 Improvements have been made to the primary school, which offers pre-school places and a toddler's group and takes pupils from outside the village. The Walkern Sports and Community Centre football pitches are well used and has facilities for cricket and basketball. The Parish Council is committed to further improving the outdoor facilities with a variety of additions including the newly installed fitness trail and seating area at the Sports Field.
- 3.13 As a result of the Neighbourhood Plan, consultation exercises, ideas and suggestions were made for improvements to facilities and services in the Parish. These have been captured in a Project List. Grant funding through schemes such as Biffa, Heritage Lottery Fund, Locality, and funding from new developments (S106) will be directed to projects that will benefit the greatest number of residents and businesses. These projects will be complimentary to and implemented in parallel with, the policies in the Neighbourhood Plan, to achieve the objectives set out in section 4.

4 Vision and Objectives

Our Vision

- 4.1 Our vision is to help inform the decisions reached by East Herts District Council across all areas of development in the Parish of Walkern. It is to ensure the village grows gradually to preserve the character and the rural feel of the Parish. Future development must be sustainable based on the principle that better lives for residents now, do not mean worse lives for future generations. We believe that the planning system is about positive growth, making economic, environmental and social progress to enhance every aspect of the Parish of Walkern. Our vision statement is:

The Walkern Neighbourhood Plan will shape the evolution of Walkern over the next 11 years by meeting the aspirations and needs of the local community. We are committed to preserving Walkern's historic character and strong rural identity by ensuring that development in the Parish is sustainable, protects valued natural features, strengthens a sense of community and enhances wellbeing of new and existing residents. We want to make sure Walkern Parish remains a great place to live.

Objectives

- 4.2 The objectives focus on specific parts of the vision statement and provide the context for the planning policies
- 4.3 The objectives are as follows:
- A. Ensure the River Beane, a rare chalk stream that runs through Walkern Parish, is preserved, protected from over-abstraction and public access is maintained
 - B. Enhance and improve the environment and environmental quality of the Parish, minimising noise, air and water pollution
 - C. Ensure the mix, size and type of new housing meets local needs, including a sufficient supply of affordable housing for sale and rent and preferential access to some new homes for people with a strong local connection
 - D. Require new development to be of high-quality design, built to a high sustainability standard and to be sympathetic to, and improve, the look and feel of the Parish
 - E. Ensure that new development is phased and located to minimise the impact on the already limited road infrastructure in the village
 - F. Ensure the design and location of new developments are resilient to the effects of climate change and flooding
 - G. Support existing businesses, creative industries and home working, and encourage new local employment opportunities for residents
 - H. Preserve and enhance public transport services to and from the village for residents who do not have use of a car, and encourage safe walking and cycling options

- I. Ensure that community facilities and services enhance the health and wellbeing of residents
 - J. Ensure the village has recreational facilities that meet the needs of young children, teenagers and adults, and strengthen the sense of community
 - K. Make the best possible use of funding through Section 106, a Community Infrastructure Levy or other funding related to development in the parish, to improve parish facilities.
- 4.4 The last of these objectives assumed that East Herts Council would, at some point, set a Community Infrastructure Levy (CIL). Until such time as a CIL is set, either locally or nationally, this objective is relevant to ensuring the best use of Section 106 funding from new development and any other form of funding that can contribute towards the enhancement of the Parish. The Action Plan attached as an **Appendix K** includes projects that have been identified by the community as enhancements to life in the Parish.

Policies and Policy Map

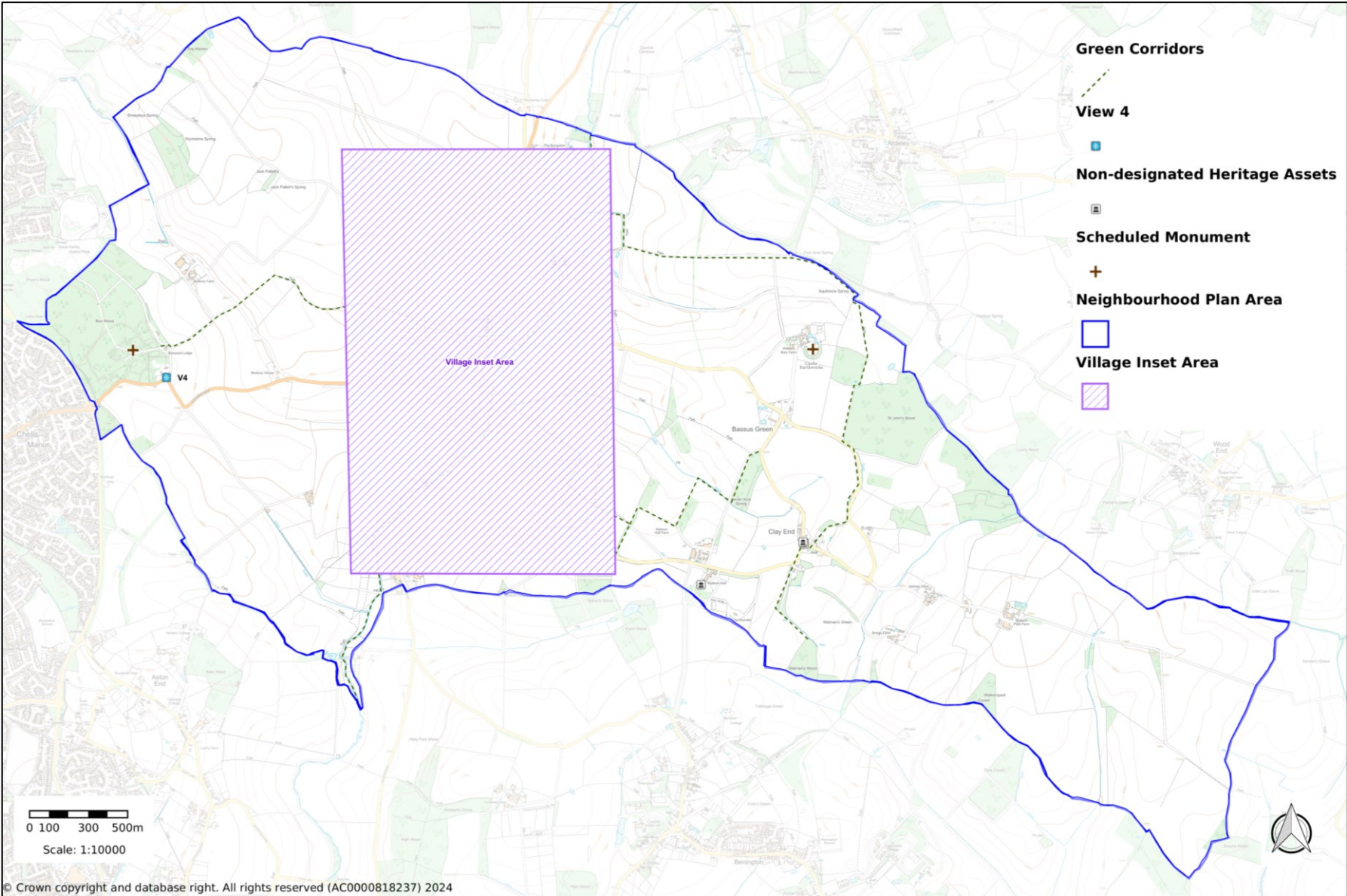
The Policies

- 4.5 The following chapter sets out the planning policies for Walkern Neighbourhood Plan First Review for the period to 2033. This ties in with the end of the Plan period for the East Herts District Plan. The planning policies, together with the reasoned justification for them, reflect the main issues raised through consultation with the community and how the Plan aims to achieve the Objectives A - K.

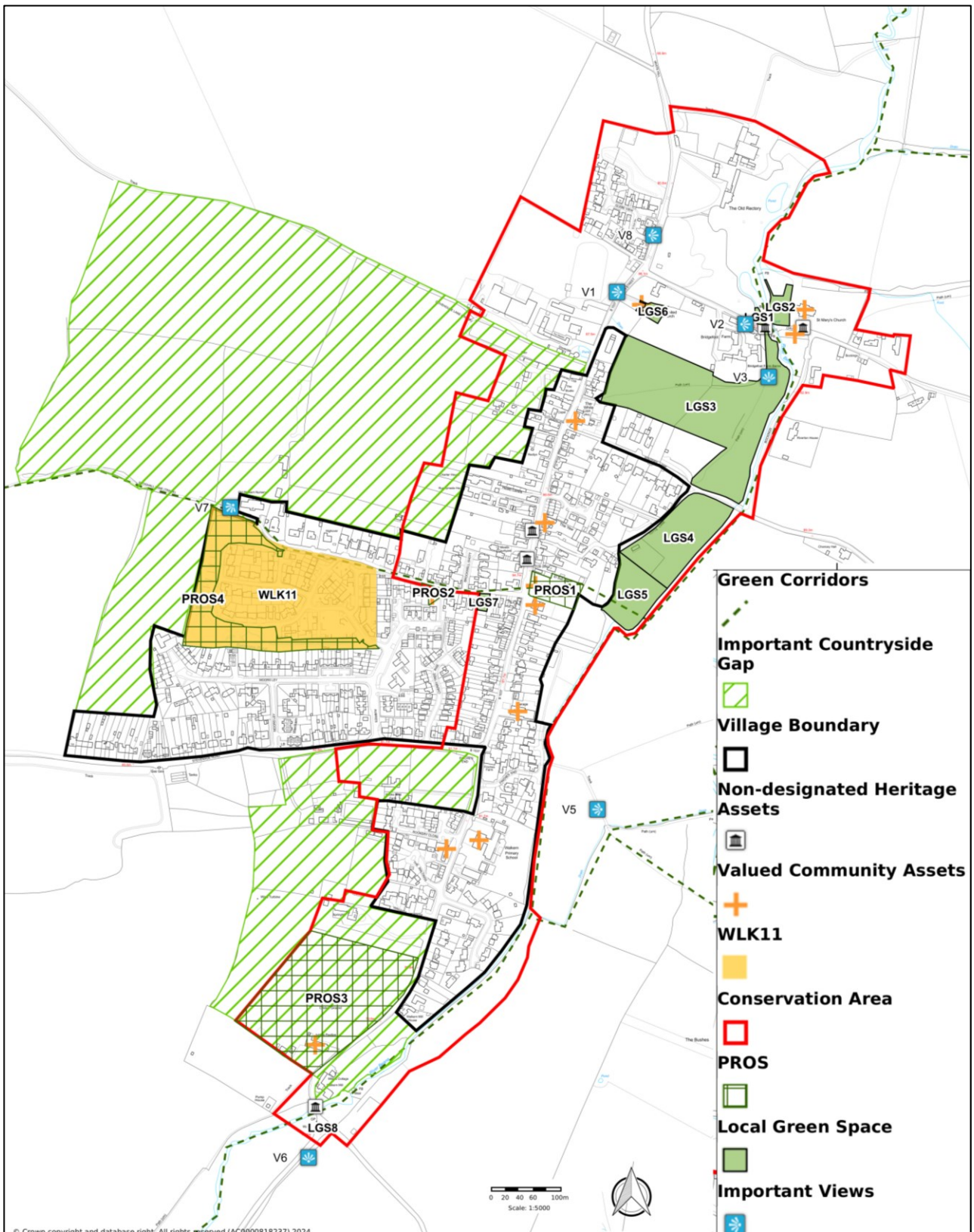
The Policies Map

- 4.6 The **Policies Map** should be read in conjunction with the policies as it shows where in the Neighbourhood Plan Area the policies apply, for example, the areas designated as Local Green Space.
- 4.7 The Map is shown at two scales with one map covering the whole of the Neighbourhood Plan Area at a smaller scale and a Village Inset Map at 1:10,000. In addition, each Local Green Space has a larger scale map (see the section Green Infrastructure **Policy WLK10**).
- 4.8 Please note that to make the maps as large as possible for a printed document, only the scale bar can be relied upon. Please contact the Parish Council if you require an accurate map from which to measure using a scale rule.

5 Policies Map



Policies Map for Village Inset Area



6 Neighbourhood Plan Policies

Strategic Context

- 6.1 This chapter sets out the planning policies for the Parish of Walkern for the period 2017-2033, which are aligned with the end of the plan period for the East Herts District Plan. The planning policies, together with the reasoned justification for them, are set out below. The policies reflect the main issues, which were raised in consultation. **Appendix A** sets out how the policies will achieve the objectives.
- 6.2 The National Planning Policy Framework (NPPF) and the East Herts District Plan provide the overall policy context for the Neighbourhood Plan. Regard has also been given to National Planning Practice Guidance (introduced on-line by the Government since March 2014).
- 6.3 East Herts District Plan Policy DPS3 Housing Supply 2011-2033 identifies Group 1 Villages, of which there are eight including Walkern, as contributing 500 homes. Policy VILL1 Group 1 Villages requires each of the eight villages to grow by at least 10% (based on the 2011 Census). The minimum requirement for Walkern is 55 homes. Since the Walkern Neighbourhood Plan was made, 85 homes have been built on Midsummer Meadow (Land South of Froghall Lane). This development far exceeded the minimum number of new homes required by Policy VILL1. As a result, there is therefore no requirement for this First Revision of the Walkern Neighbourhood Plan to include housing site allocations.
- 6.4 In these documents, particularly in paragraph 8 of the NPPF, there is a commitment to achieving sustainable development with three overarching objectives: an economic objective; a social objective and an environmental objective. Following these objectives will create sustainable communities which embrace the principles of sustainable development using a coordinated approach to the delivery of homes, jobs and infrastructure and development that improves the economic, social and environmental conditions in the area.
- 6.5 At the heart of the NPPF, there is a presumption in favour of sustainable development, which should be a common theme, running through plan-making (including neighbourhood plans) and decisions taken on planning applications for development. These overall principles are reflected in the East Herts District Plan. The Neighbourhood Plan is strongly committed to these principles and to the delivery of sustainable development. In accordance with its stated objectives the Neighbourhood Plan seeks to protect and maintain the strong community, which binds the village together, whilst protecting and enhancing the environment of the Parish for the future. At the same time the Neighbourhood Plan supports the development of the economy and local facilities and services in ways that protect the overall character of the area.

Policy WLK1 Sustainable Development

- I. Support will be given to development proposals which accord with the principles of sustainable development as set out in the NPPF, East Herts District Plan and this Neighbourhood Plan.
- II. The Neighbourhood Plan ensures that development in Walkern is sustainable for the community, for the provision of homes, the protection of the environment and economic sustainability of businesses.

Landscape

- 6.6 From the responses to public consultation, the countryside and landscape of the Parish of Walkern are greatly valued by the local community and by visitors to the area. The rural nature of the Parish is described in detail in the East Hertfordshire Landscape Character Assessment, adopted by the district council in 2007 as a Supplementary Planning Document (SPD).
- 6.7 According to the SPD, the Parish of Walkern is in two landscape character areas. The bulk of the area, including Walkern village is within Landscape Character Area No. 39, the Middle Beane Valley. The rest of the Parish is within Landscape Character Area No. 140, the Ardeley and Cottered Settled Plateau, with Walkern Hall at its southern extremity.
- 6.8 The area No. 39 is described as “open farmland with small, grouped woodlands, linked by hedges.” Characteristics include “medium to large-scale field patterns” and “strongly undulating slopes”, with “a remote character, despite proximity to Stevenage.” The low impact of built development and lack of land use change is an essential feature, which must be retained in the gap between Walkern and Stevenage to preserve the character and rural nature of the area.
- 6.9 Much of the land between Stevenage and Walkern is designated as Green Belt. A purpose of the Green Belt designation is to prevent neighbouring towns from merging into one another. Additionally, land between Walkern’s village boundary and the Green Belt, together with land to the east of the village, is designated in the District Plan as ‘Rural Areas Beyond the Green Belt’ (Policy GBR2). The purpose of Rural Area Beyond the Green Belt policy is to maintain the countryside as a valuable resource, permitting those developments that require a countryside location or are defined as appropriate development within the countryside.
- 6.10 The character of Walkern village, north of Froghall Lane and west of the High Street is of properties predominantly fronting the road, many with very large back gardens with open countryside beyond. Most of these buildings are Listed or identified in the Conservation Area Appraisal and Management Plan 2016 as contributing to the special interest of the conservation area. Occasional small groups of additional homes in courtyard developments contribute some variety.

- 6.11 The character of Walkern village south of Stevenage Road and west of the High Street, is mainly open with two large characterful homes and three close style developments (Rockery Close, The Maltings, Wrights Meadow), mostly hidden behind listed characterful built frontages, with Springhill (204 High Street) signalling the end of the village on this side of the road.
- 6.12 To retain the special character of the conservation area, any significant development behind the High Street to the west should demonstrate that it will not have an adverse impact upon the character of this part of the village or the setting of the conservation area.
- 6.13 The recent housing development in Walkern at Midsummer Meadow can be seen from Box Wood and the edge of Stevenage. The proposed development on the edge of Stevenage (Gresley Park) will be visible from Walkern thus eroding the visible and physical gap between the large town and the village and negating the phrase ‘low impact of built development’.



Figure 3: The Beane Valley

- 6.14 Area No. 140 is described as an elevated plateau between the valley of the River Beane to the west and the more open arable plateau to the east. It is summarised as a “settled plateau landscape with a strong sense of historic continuity”, also a “tranquil and traditional landscape with few detractors.” This landscape is considered to be unusual in Hertfordshire.
- 6.15 The character assessments confirm the perceptions of local people about the landscape, particularly about the Beane Valley, and the open and tranquil nature of the countryside. In both landscape character areas, the SPD recommends that the landscape should be “conserved and strengthened.” The Parish Council supports this approach to conserve the rural landscape. East Herts District Plan Policy DES 1 seeks to protect the overall landscape character of East Hertfordshire, guided by the detailed assessments in the SPD.

- 6.16 Within the Parish, the relationship between the settlements and the surrounding rural landscape is particularly important. Walkern itself has a linear form, running along the valley of the River Beane. The village is surrounded by a combination of farmland and woodland, with many mature trees within and around the settlement. These elements are also important features of the hamlets of Clay End and Bassus Green, which are situated on the higher ground to the east of Walkern.
- 6.17 It is important that any new developments in the Parish are sympathetic to this local landscape character. Land lying in the Rural Area Beyond the Green Belt between Walkern and Stevenage is defined in this Plan as an Important Countryside Gap and is shown on the Village Inset Policies Map. New development will be permitted within the Important Countryside Gap provided that it does not result in physical or visual coalescence of Stevenage and Walkern or adversely impact the separate character, appearance, and identity of Walkern.

Views

- 6.18 Walkern has a minimal impact on the views across the river valley as it nestles in the gently rolling landscape. The Neighbourhood Plan has identified several key views, vistas and landscape features, listed in **Policy WLK2**, detailed in **Appendix B** and shown on the **Policies Map**. To maintain the integrity of these important views, vistas and landscape features and ensure new development does not impinge on the rural setting of the village, development proposals must include an assessment of any impact and how that impact will be mitigated.



Figure 4: View 4 East from Box Wood towards Walkern

- 6.19 Mitigation of important views could take the form of natural screening such as mitigation planting/boundary treatment (see reference: Landscape Issues in your Neighbourhood Plan (CPRE)). Site specific design of buildings and structures could include a careful colour choice, lowering heights, or using appropriate materials. Proposals where a harmful impact is identified will only be permitted where effective mitigation measures can be delivered.

- 6.20 To assess the landscape and visual impact on important views an appropriate methodology should be used. The use of Verified Views such as annotated photographs or photomontages are two such methods (see reference: Historic England Research Report Series 17-2019).
- 6.21 These views, vistas and landscape features should be protected from the harmful impact of development in accordance with **Policy WLK2** of this Plan. The location of the viewpoints and the extent of the views are shown on the **Policies Map**. Photographs and descriptions of Views are in **Appendix B**.

Policy WLK2 Important Views, Vistas and Landscape Features

- I. Development proposals will only be supported where it can be demonstrated that measures have been taken to contain and mitigate the visual impacts of development on the open character of the landscape setting of Walkern.
- II. Eight important views and vistas are identified on the **Policies Map** and detailed in **Appendix B**. These are:
 - View 1: West from opposite the United Reformed Church (High Street) through Manor Farm paddock
 - View 2: East along Church End over the ford
 - View 3: North from the meadows to St Mary the Virgin Church
 - View 4: East from Box Wood towards Walkern
 - View 5: East of the River Beane to Wrights Tower House above the Finches
 - View 6: North from the entrance to Walkern along Benington Road
 - View 7: South west from Froghall Lane towards Stevenage
 - View 8: East of High Street at Glebe View
- III. In addition, the River Beane Valley is the primary landscape feature in the Parish and provides an important gap between Walkern and Stevenage. Within the area defined as Important Countryside Gap on the **Policies Map**, new development will only be permitted if it does not result in the physical or visual coalescence of Stevenage and Walkern and would not undermine the separate character, appearance and identity of Walkern.
- IV. Any development proposals in the Important Countryside Gap or within the identified views should, where appropriate, include a landscape and visual impact assessment of harm, using an appropriate methodology. Proposals where a harmful impact is identified will only be permitted where effective mitigation measures can be delivered.

Conservation and Heritage

- 6.22 The consultation responses during the preparation and First Revision of the Neighbourhood Plan, show that the community places considerable value on the historic environment and built heritage of the Parish. Central to this concern is the Walkern Conservation Area, which covers the historic core of the village, and its setting. Along the High Street, there are many listed buildings, dating from the 15th to the 19th centuries, reflecting the vernacular architectural style of construction in this part of Hertfordshire. One of the most significant buildings is the Grade I listed Church of St. Mary the Virgin, which is the oldest village church in the county. At the northern end of the village, at Church End, there is a ford on the River Beane, which is below the mediaeval Bridgefoot Farm.
- 6.23 To the east of the Parish, the hamlets also contain features of historic interest. Bassus Green is close to the remains of Walkern Castle and is characterised by a small collection of pre-16 century thatched cottages and farm buildings. Clay End also has a mixture of historic cottages and farm structures. Both hamlets are accessed by an ancient pattern of narrow country lanes and historic footpaths and bridleways, screened by hedgerows.



Figure 5: Bassus Green and Clay End

- 6.24 The NPPF advises that heritage assets should be conserved in a manner appropriate to their significance. Scheduled monuments are noted as being of the highest significance. Walkern has two scheduled monuments: Walkern Bury ringwork medieval fortifications and the earthworks spread over a significant area in the southern part of Box Wood.
- 6.25 The Parish Council supports the aims of East Herts District Plan Policies which seek to protect heritage assets. In Conservation Areas, District Plan Policy HA4 states that new development, alterations and extensions to existing buildings will be permitted where they preserve or enhance the established character of an area. Proposals outside a conservation area which affect its setting will be treated likewise. District Plan Policies HA5 and HA6, seek to control the design of shop fronts and the regulation of advertisements in conservation areas.
- 6.26 The Walkern Conservation Area Character Appraisal 2016 identifies numerous buildings and structures which are not listed (designated heritage assets in their own right) but which make an important architectural or historic contribution to the Conservation Area. This Plan highlights specific aspects of Walkern Conservation area that contribute to its significance (**Policy WLK3**).

Policy WLK3 Walkern Conservation Area

- I. Development within Walkern Conservation Area should be preserved or enhanced. The elements of the Conservation Area which make a positive contribution to it, as defined in the Walkern Conservation Area Character Appraisal and Management Proposal 2016 (or an updated version) should be preserved in a manner appropriate to their significance..
- II. Development will be supported where it makes a positive contribution to the rural landscape of the Beane Valley and the setting of Walkern's Conservation Area.

- 6.27 The District Plan also contains a pledge, in Policy HA2, to engage with local communities on the protection of non-designated heritage assets. A new Government initiative was launched in September 2019 to help ensure local buildings are preserved for future generations by encouraging non-designated heritage assets to be identified during the preparation of neighbourhood plans. Historic England describe non-designated heritage assets as locally identified buildings, monuments, sites, places, areas or landscapes identified as having a degree of heritage significance meriting consideration in planning decisions (see reference: Local Heritage Listing Historic England Advice Note 7). Local heritage can benefit the local economy as well as help to define a sense of place and provide a feeling of community identity and well-being.
- 6.28 Hertfordshire Gardens Trust were consulted on potential parks and gardens with heritage interest. Both Walkern Hall and The Old Rectory have garden features which are protected by virtue of being listed buildings in their own right. Walkern Hall has an ornamental walled garden with carved well head, fountain, and summer house. There is a ha-ha, beyond which is a medieval hunting park. The wealth of heritage within the designed landscape makes it worthy of inclusion as a non-designated heritage asset.
- 6.29 The Old Rectory is at the north end of the village north west of the church. The walled garden is separately listed, as is The Granary, which is close to the High Street. Subject to further research, may become eligible as non-designated heritage assets.

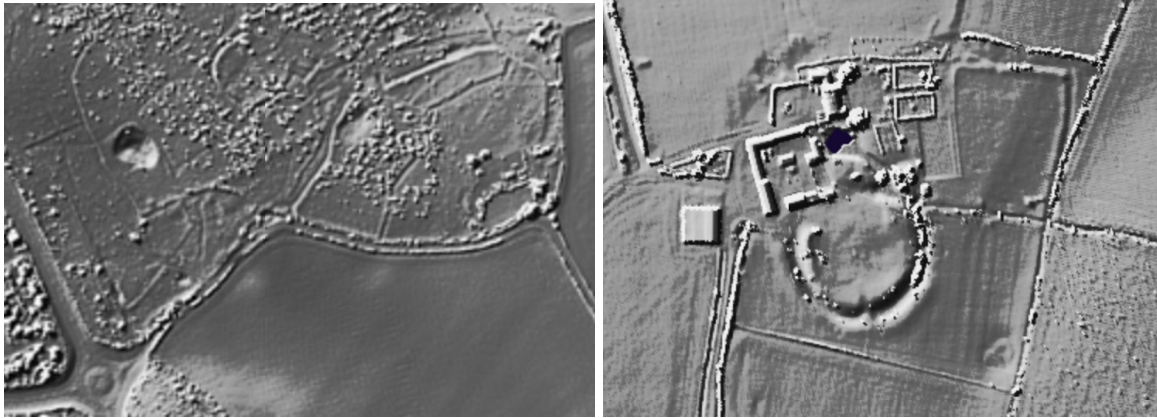
Policy WLK4 Non-designated Heritage Assets

- I. The following non-designated heritage assets have been identified in this Neighbourhood Plan:
 - Queen Elizabeth II pole mounted post box, Clay End
 - Decorative cast iron lamp column, Clay End
 - Decorative cast iron lamp columns, High Street, Walkern
 - Decorative cast iron lamp column, Church End, Walkern
 - Bridge and weir, High Street Walkern
 - Gardens at Walkern Hall, Clay End
- II. Development proposals which affect these heritage assets, or are within their setting, should avoid or minimise any harm to their significance. A proportionate description of their significance and the impact of the proposals on it should be provided by applicants, to enable a balanced judgement to be made, having regard to the scale of any harm or loss and the significance of the asset.

6.30 Across the Parish, there are several potential sites of archaeological interest. A general policy on the protection of archaeological sites and assets is contained in the East Herts District Plan (Policy HA3). The policy requires a desk-based assessment of any proposal, which may affect a site of potential archaeological interest. There are several Areas of Archaeological Significance in the Parish, which are shown on the East Herts District Plan Policies Map.

6.31 Walkern History Society in conjunction with North Hertfordshire Museum are undertaking a project to expand on the limited knowledge of Walkern and build up a story of the village through time. This has so far involved a test pit programme which started in 2017 when the Historic Environment Record contained only 109 entries. Test pits have been dug predominantly along the High Street but also at the church (Church End) and at the Walkern Mill (see reference: North Herts Museum).

6.32 Over the same period, the Scheduled Monument at Box Wood has been put at risk from the subdivision of the wood and sale of plots. There is still much to learn about this monument. Walkern Bury Scheduled Monument also has the potential to extend well beyond the clearly visible earthwork. Other possible sites of interest are Cobble's Spring, south of the village. The Parish Council welcomes the illumination of Walkern's history through a greater understanding of archaeology.



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Figure 6: Examples of Lidar imagery of Box Wood (left) and Walkern Bury (right)

Policy WLK5 Archaeology

- I. **The identification and protection of local sites of archaeological interest and their enhancement is supported.**

Biodiversity

- 6.33 The wider countryside of the Parish contains many features of significant value for wildlife and nature conservation, many of which were identified by residents in consultation. Underground springs and wells from the chalk aquifer, and the River Beane, an important and rare chalk stream, and one of about 200 remaining worldwide, provide a perfect habitat in which an abundance of flora grow and fauna, including slow worms, newts, frogs, and kingfisher are found. The woodlands, hedgerows, and the agricultural landscape of the Parish support a diversity of life forms, the survival of which has been assisted by conservation work. The local planning authority, in collaboration with the Herts and Middlesex Wildlife Trust, has also designated local Wildlife Sites. These sites are described in an inventory in **Appendix D**.
- 6.34 During the preparation of the Neighbourhood Plan, members of the WNPG compiled a detailed inventory of plants, animals, birds, and insects, which could be found in the parish. The survey also listed the sites of nature conservation value, Ancient Woodland Inventory Sites, and the designated local Wildlife Sites. Maintaining and improving the quality of wild-flower rich natural or semi-natural habitats including designated sites is an important priority for the *National Pollinator Strategy 2014* published by Department of Environment Food & Rural Affairs (DEFRA).
- 6.35 The East Herts District Plan recognises that nature conservation is an integral part of the planning system. Thus, the most important areas for biodiversity are identified on the East Herts District Plan Policies Map. Policy NE1 of the document affords protection to International, National and Locally Designated Nature Conservation Sites. Development will not be permitted unless there are reasons, which clearly outweigh the need to safeguard the nature conservation value of a site. The policy also includes provision for compensation or mitigation where development proposals are allowed. The Parish Council supports this approach.

- 6.36 The East Herts District Plan acknowledges the importance of biodiversity and the need to protect species and plants and the diversity of habitats (policy NE2). Herts and Middlesex Wildlife Trust reintroduced Water Voles higher up the River Bean at Watton-at-Stone/Stapleford in July 2022. A prerequisite for successful reintroduction includes suitable riverbank habitat.
- 6.37 The Hertfordshire Biodiversity Action Plan (2006) identifies those species and habitats that are a priority for conservation, many of which are present in the Parish of Walkern. There are several sites where species and habitats need to be protected and development proposals will be permitted, only where harm can be avoided, adequately mitigated or compensated for in accordance with national policy.
- 6.38 The Environment Act 2021 introduces a new requirement that most planning permissions in England must deliver at least 10% biodiversity net gain. This biodiversity net gain should be measured and delivered in accordance with national legislation and guidance.

Policy WLK6 Conserve and Enhance Biodiversity

- I. **Wildlife and significant habitats including the River Beane will be protected from any significant harmful impacts of development, including pollution, unless avoided, adequately mitigated or compensated for in accordance with national policy.**



Figure 7: Bassus Green Road Verges

Trees, Hedges and Woodland

- 6.39 Trees and hedgerows perform many functions including supporting biodiversity, providing shade and shelter, modifying the effects of climate change, and the general feeling of wellbeing and amenity they provide. Walkern has many old and beautiful trees, hedges and areas of ancient woodland. Some are already protected by virtue of their being within the Walkern Conservation Area or subject to Tree Preservation Orders.



Figure 8: Hedgerow on lane Clay End (L) & Oak between Clay End and Bassus Green (R)

6.40 Rare and interesting trees can be found in Walkern. Three such examples are a Turner’s Oak (*Quercus turneri*), which lies in the field to the north of St Mary’s church, the Magna Carta Oak, in St Mary’s churchyard, and a Box tree in the churchyard of the URC, High Street. Turner’s Oak is a rare hybrid of the English oak, crossed with a Holm oak by an Essex nurseryman in the 18th century. It was planted by Rev. Benjamin Heath in the late C18th/early C19th when the field was part of his pleasure garden. It is semi-evergreen, losing its leaves in spring. The Magna Carta Oak was grown from an acorn collected from the Parliament Oak in Sherwood Forest. It was planted to commemorate the 800th anniversary of the Magna Carta and its significance for the village of Walkern. The Box tree is over 200 years old. Both trees are within Walkern Conservation Area.



Figure 9: Magna Carta Oak (left), Box (right)

6.41 Other trees in open farmland are more vulnerable to damage due to passing vehicles and lack of management. Herts Environmental Record Centre have 19 veteran and mature individual trees identified in the parish. In addition to the Turner’s oak mentioned above there are 16 other oaks, the largest of which is in the garden of Walkern Hall Farm, a hornbeam, and an ash. In addition to these individually recorded trees there are three ancient woodlands. Box Wood, St John’s/Lords Wood, Walman’s Wood. All three are Local Wildlife Sites.



Figure 10: Turner's Oak

- 6.42 Box Wood has been particularly at risk following the subdivision and sale of leasehold plots. More details of the importance of Box Wood can be found in the Addendum to Walkern Tree Charter at Appendix E including a photograph of a veteran yew tree (see Figure 29).
- 6.43 New developments should, wherever possible, retain existing trees, hedgerows and green road borders. Planting more native climate resistant trees is encouraged, in open spaces and in new developments.
- 6.44 The plight of trees and hedges is highlighted in the Tree Charter in Appendix E. This provides commitments, advice, guidance and encouragement to nurture trees in the Parish.

Policy WLK7 Protection of Trees and Hedges

- I. Trees and hedgerows are protected by Policies DES4, HOU2, NE3 and NE4, and individual site allocations in East Herts District Plan.
- II. The planting of trees able to withstand climate change will be encouraged at every opportunity.
- III. Development will be supported that adopts the principles in the Walkern Tree Charter [Appendix E](#) which provides information to assist developers to recognise the importance of trees in Walkern.

Green Infrastructure

6.45 Both the NPPF and the East Herts District Plan introduce the concept of green infrastructure, described as “a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.” East Hertfordshire Green Infrastructure Plan applies these principles to the district and provides an overview of its green infrastructure assets and the opportunities to enhance and develop them. Policy NE3 of the East Herts District Plan seeks to protect and enhance the network of green infrastructure.

Open Spaces

- 6.46 There are six open spaces within the village which are recognised as important for recreational purposes. These vary from small play spaces for young children to large spaces for healthy outdoor leisure pursuits. The Playground, the Play Area and the Sports Field are identified on East Herts District Plan Policies Map and are protected by Policy CFLR1.
- 6.47 The Playground is also identified as Important Open Space in Chapter 5 of Walkern Conservation Area, Character Appraisal and Management Proposal 2016, because it creates a diversity in the street scene with green space extending from the edge of the village right up to the High Street. There are views over large gardens to the River Beane valley. The Playground is a safe fenced space in the centre of the village with a range of children’s play equipment with seating and wildlife areas.
- 6.48 The Play area is a small safe site within the Aubries development with play equipment for smaller children. It is the only play area available without having to cross the High Street to the Playground.
- 6.49 The Sports Field at Walkern Sports and Community Centre (WSCC) is well used for football in the winter and cricket in the summer, with occasional events also held here. It has been enhanced with seating areas for picnics, tree planting and active outdoor gym equipment. It is a valuable asset for the village.
- 6.50 Midsummer Meadows (PROS4) was not in existence when the District Plan was adopted. This space is an integral part of the Midsummer Meadows housing development. Doubling as an area of biodiversity and incorporating SUDs, it is also an important walking link through to Froghall Lane.

6.51 Protected Recreational Open Space (PROS) are shown on the **Policies Map, and described, with photographs, and a detailed map in Appendix I.** Green spaces within the village that are accessible to all residents should be retained. Accessibility relates to both their location and the ease of reaching the spaces on foot or by sustainable transport and the ease of use of the spaces for all ages and abilities.



Figure 11: Recreation Equipment at WSCC

Policy WLK8 Protected Recreational Open Spaces

- I. The following sites as identified on the Policies Map and detailed in Appendix I, are allocated as Protected Recreational Open Space:
 - PROS1: Playground, next to Walkern Stores, no 79 High Street
 - PROS2: Play Area, Aubries
 - PROS3: Sports field at Walkern Sports and Community Centre
 - PROS4: Midsummer Meadows
- II. Development proposals that result in the loss of reduction of the Protected Recreational Open Space should be assessed against the criteria in Policy CFR1 part VI. Any enhanced, replacement provision should be as accessible to the local community as the current recreational open space.

Green Corridors

- 6.52 The WNPNG has consulted with the District Council and the Herts and Middlesex Wildlife Trust, and the Hertfordshire Environmental Records Centre with a view to establishing green infrastructure networks within the Parish. As a result, a network of green corridors has been devised in and around the village of Walkern - this includes the valley of the River Beane which flows north to south through the village. The asset is protected by the River Beane Catchment Management Plan. Water Voles were introduced into the river, upstream at Watton-at-Stone in July 2022. This was a joint venture by The River Beane Restoration Association (RBRA) and Herts and Middlesex Wildlife Trust (HMWT). The success of introduction is dependent on an adequate unpolluted water flow in the river.
- 6.53 Green corridors have many benefits including making connections between wildlife sites and providing attractive walking routes, such as the established long-distance footpath between Walkern and Hertford. The value of the river valley was emphasised by the local community in consultation on the Neighbourhood Plan.



Figure 12: Established Green Corridor, Walkern Hall Farm

- 6.54 In accordance with NPPF para 110, planning policies should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks. The river walk along the Beane through Walkern is a very popular green corridor which in part provides an attractive recreational space. Part of the river corridor is allocated as Protected Recreational Open Space in this Plan. It has been under pressure from development and requests for residential garden extensions which could introduce barriers to wildlife and reduce public access. The northern section of this corridor has been allocated as Protected Recreational Open Space in this Plan (see Policy WLK8).

Policy WLK9 Green Corridors

- I. In accordance with the East Herts Green Infrastructure Plan, the network of Green Corridors in the Parish, as shown on the Policies Map, will be protected from the impact of harmful development, managed and where possible enhanced. These include:
 - The link extending to the north and west of the end of Froghall Lane to connect with Box Wood
 - The network of small woodlands around Clay End and Bassus Green linking to the River Beane
 - The River Beane Valley and in particularly the section through Walkern village.
- II. The River Beane is an endangered chalk stream, and the valley corridor has a strategic recreational value as well as being important for wildlife and a important landscape feature. Any development scheme adjacent to the River Beane should be designed with a naturalised buffer zone of at least 10m from the top of the bank to protect and enhance the conservation value of the watercourse and ensure access for flood defence maintenance.

Local Green Space (LGS)

- 6.55 Some of the green spaces in Walkern village contribute to the character of the conservation area, others represent important green infrastructure and are particularly valued by the community. The NPPF (paragraphs 105 - 107) provides guidance on the criteria for designating Local Green Spaces. They must be local in character; not an extensive tract of land; close to the community they serve; and hold a special and particular local significance such as beauty, historical significance, recreational value, tranquillity or richness in wildlife.
- 6.56 Proposals for development within Local Green Spaces should be considered in a similar way to development proposal in the Green Belt. The Government's Planning Practice Guidance (PPG) (Paragraph: 010 Reference ID: 37-010-20140306) tells us that Local Green Spaces can be designated on Green Belt land where the designation could help to identify areas of Green Belt that are of particular importance to the local community. PPG goes on to say that different designations serve different purposes. If, for example, a designation such as Scheduled Monument already exists on a potential LGS, then consideration should be given to the additional local benefit of the LGS designation. Land designated as LGS can also be nominated for listing by the local authority as an Asset of Community Value.
- 6.57 Two additional Local Green Spaces are designated in this revised Neighbourhood Plan. The graveyard at the URC, and a historical site which still contains gravestones on Froghall Lane.

Policy WLK10 Local Green Space

- I. **Nine areas of green space detailed in Appendix G Local Green Space, shown on the Policies Map and the detailed Policies Map extracts below this policy, have been designated as Local Green Space. These are:**

LGS 1: Land west of the River Beane at the Ford, Church End

LGS 2: Land east of the River Beane at the Ford, Church End

LGS 3: Land adjacent to River Beane between Church End & Winters Lane

LGS 4: Land adjacent to Allotments, Totts Lane

LGS 5: Allotments, Totts Lane

LGS 6: URC Graveyard, High Street

LGS 7: Graveyard, Froghall Lane

LGS 8: War Memorial, High Street/Benington Road

- II. **New development will only be allowed in designated Local Green Spaces where it is consistent with the National Planning Policy Framework and policy CFLR2 of East Herts District Plan, considering the characteristics of the Local Green Space as set out in this Plan.**

- 6.58 **Appendix G** shows photographs and the assessment of the 8 sites chosen for designation as Local Green Space along with a table showing all sites considered and how each of the sites designated meet the prescribed criteria.
- 6.59 In order to provide an accurate image of the boundaries of the Local Green Spaces, large scale images are provided below.

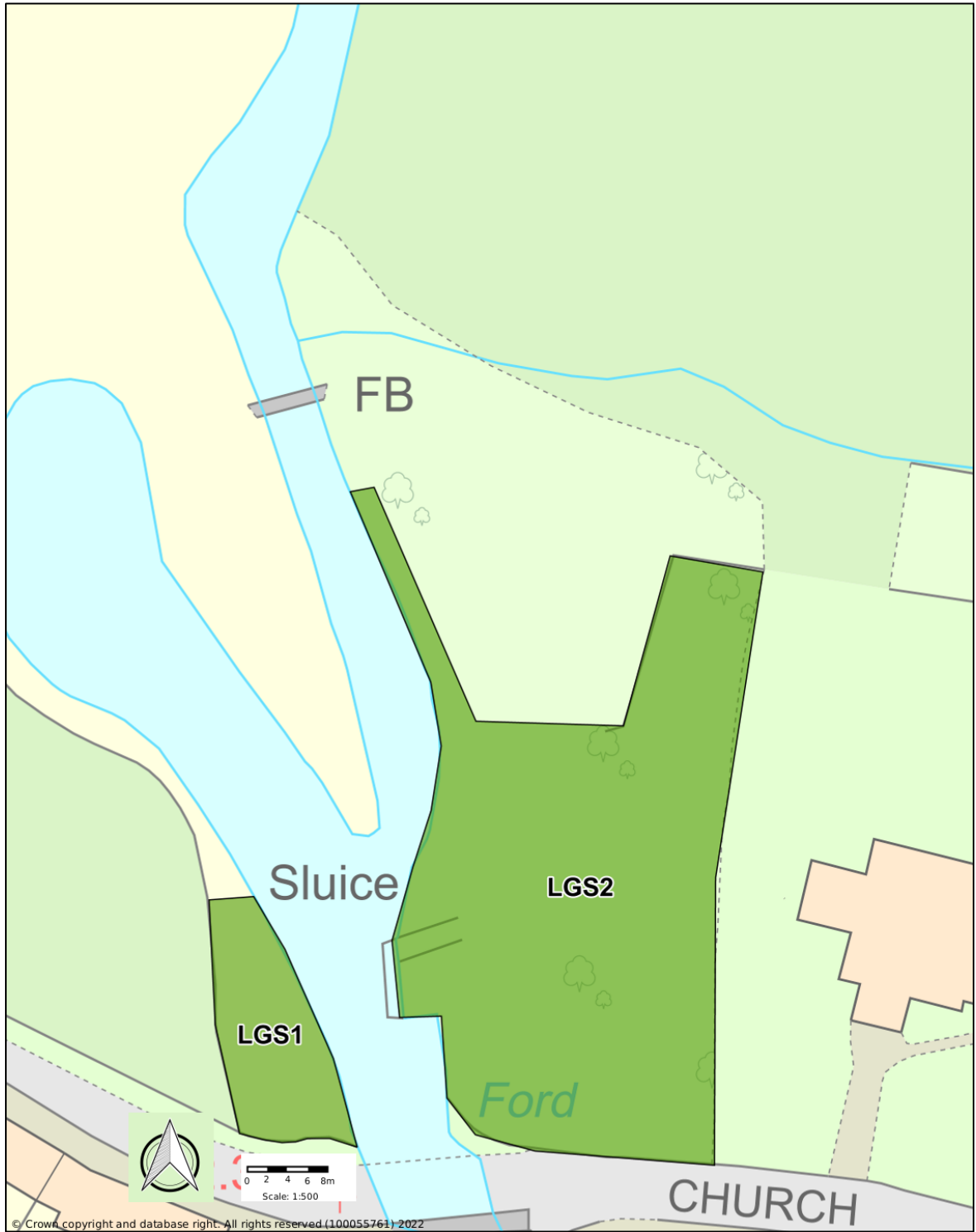


Figure 13: Map of LGS1 & LGS2



Figure 14: Map of LGS3

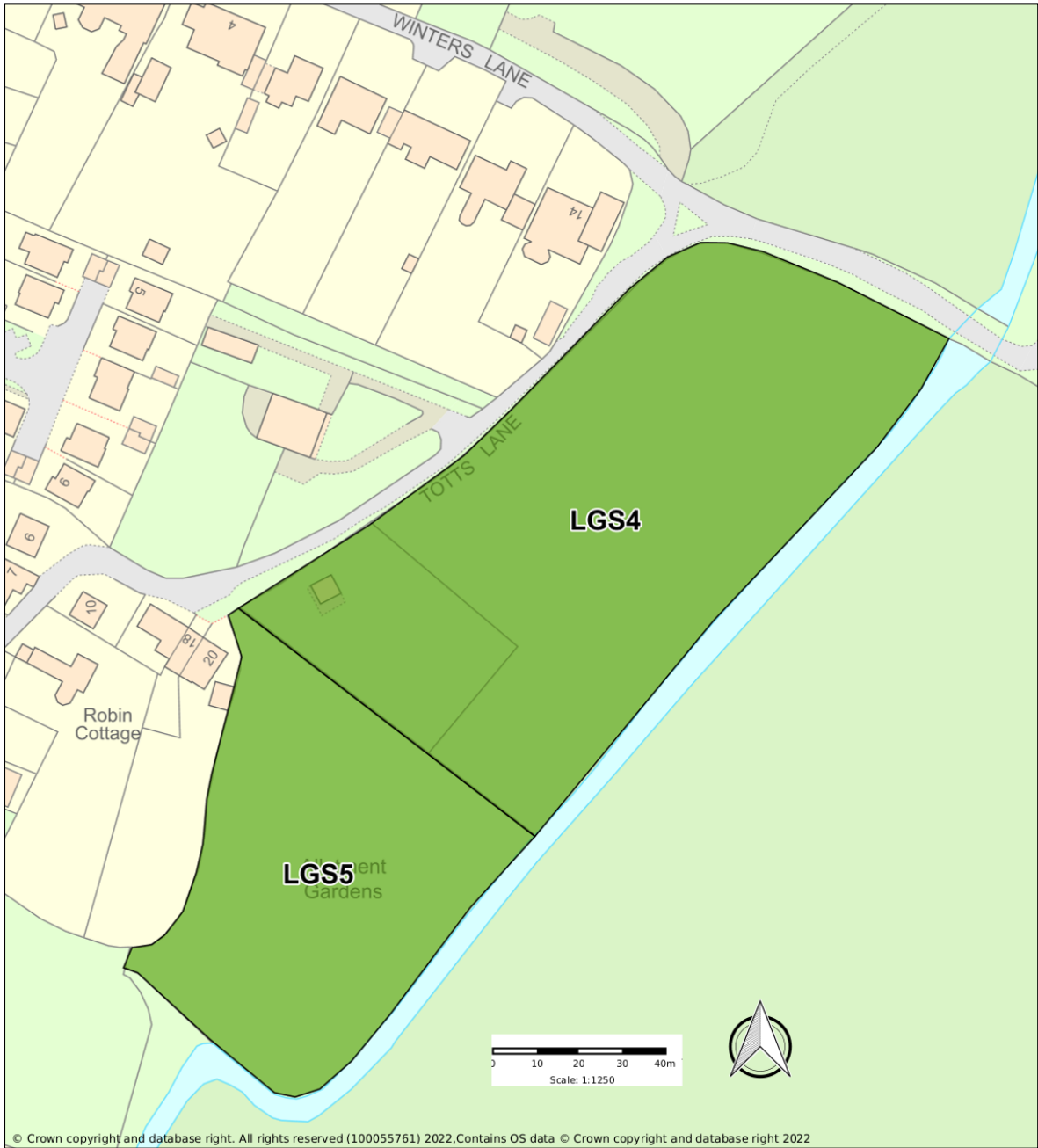


Figure 15: Maps of LGS4 & LGS5

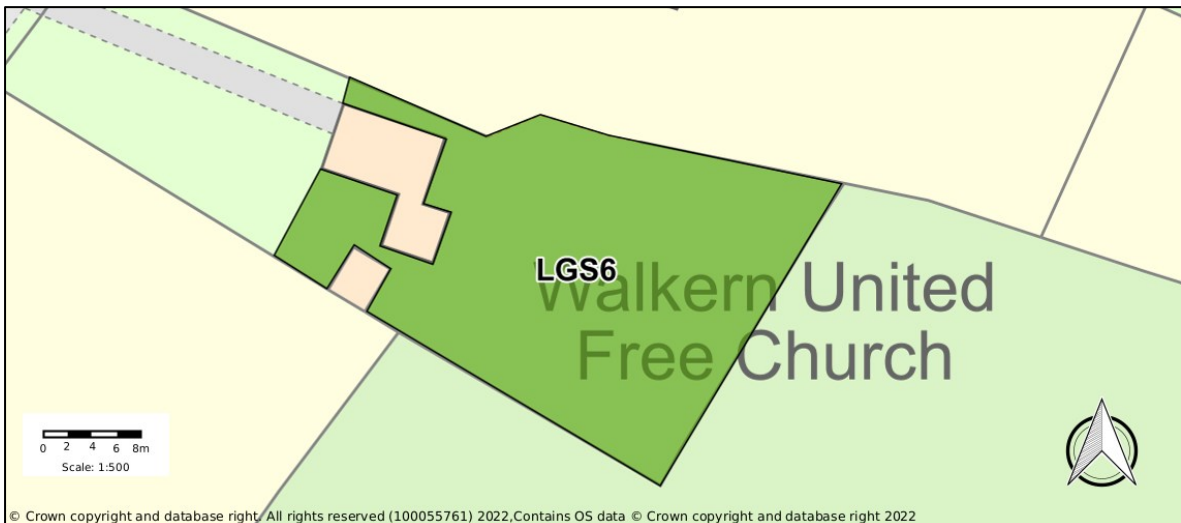


Figure 16: Map of LGS 6

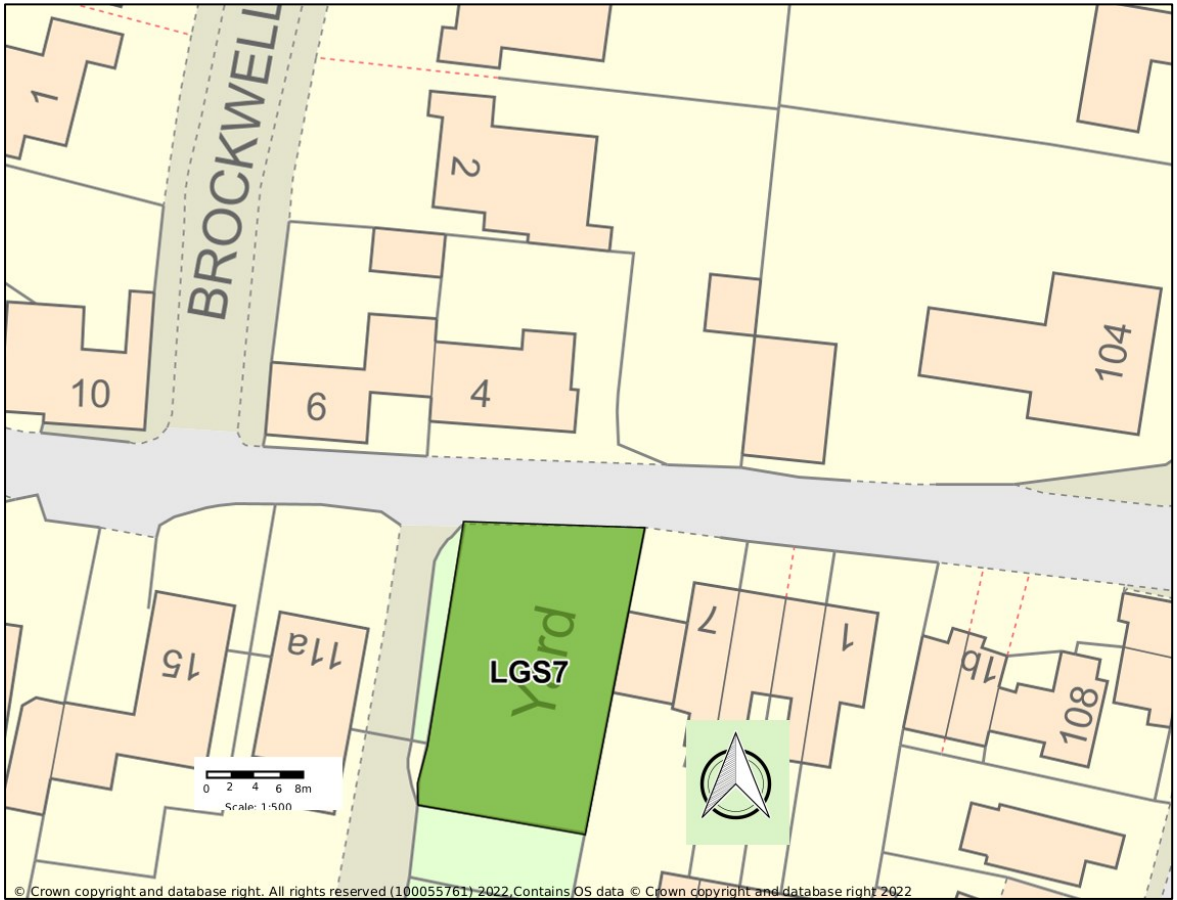


Figure 17: Map of LGS 7



Figure 18: Map of LGS 8

Soils and Agricultural Land

- 6.60 Despite the development pressures affecting the rural areas of Hertfordshire, farming remains the principal land use in the Parish. The NPPF (paragraph 180 b)) states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. This is supported by the East Herts District Plan, which seeks to achieve the most effective use of land as a resource. Soil is identified as an important asset. In Walkern, the bulk of the land is designated under the national agricultural land classification (ALC) as Grades 2 or 3a. Wherever possible, this higher-grade land should be protected from development in the interests of the local farming infrastructure and its future viability.

Environmental Quality

- 6.61 Many representations were raised during consultation about general environmental pollution, and the possible effects of further development. This issue is covered throughout the NPPF and the East Herts District Plan (Chapter 24). The East Herts District Plan contains specific policies on contaminated land and land instability (Policy EQ1), noise pollution (Policy EQ2), light pollution (Policy EQ3), and air quality (Policy EQ4). Further detailed advice on dealing with aspects of environmental quality is provided in the on-line National Planning Practice Guidance (NPPG).
- 6.62 In Walkern, there were concerns about the effects of traffic, causing noise and air pollution, and light pollution. Several policies in this Plan help to improve environmental quality over time. Protections against river pollution and river flooding are provided in Policies WLK 6 and WLK9 respectively. **Policy WLK14** includes criteria on minimising light pollution, whilst supporting micro scale renewable energy generation and charging points for electric vehicles. The Tree Charter in **Appendix E** encourages more tree planting to reduce carbon monoxide and the pollution in the air. Finally, sustainable transport **Policy WLK18** could help to reduce pollution and noise from vehicles travelling through the village.

Flooding and Climate Adaption

- 6.63 Walkern suffers from risk of flooding from both surface water run-off and river flooding associated with the floodplain of the River Beane. Surface water flooding is a particular problem on Midsummer Meadows and **Policy WLK11** guards against development or other impermeable hard surfacing in the most vulnerable areas, protecting both residents of the new development and existing residents in Moors Ley. **Policy WLK14** Design of New Development also seeks zero run-off from new built development.
- 6.64 The implementation of Sustainable Drainage Systems (SuDS) is relevant to many policies within the Plan, namely WLK1 Sustainable Development, WLK2 Landscape Features, WLK6 Conserve and Enhance Biodiversity, WLK9 Green Corridors, WLK10 Local Green Space and WLK11 - WLK14 (housing and development policies). The benefits of multifunctional SuDS go far beyond a piped or artificial SuDS system. Well-designed multi-functional SuDS such as blue-green roofs, wet ponds, swales and rain gardens can be used to manage surface water sustainably while also providing blue-green infrastructure with biodiversity and amenity benefits.

- 6.65 Climate adaption is a theme running through the NPPF. Water environment constraints in Walkern include the River Beane, Flood Zones 2,3 and 3b, Groundwater Protection Zones and Principal Bedrock and Secondary Aquifers. No development should take place in Flood Zone 3b, which is a functional floodplain to safely store flood water. New development in Flood Zones 2 & 3a will be subject to a sequential test to consider whether development is appropriate in this location. A Flood risk assessment must be submitted with a planning application to demonstrate that the development will not increase flood risk elsewhere or will reduce flood risk, in accordance with District Plan Policies in Chapter 23 and in particular Policy WAT1. The environment agencies River Flood risk Map for Walkern (May 2022) can be found in [Appendix H](#).

Housing

- 6.66 New housing development should reflect the vision and objectives in the Neighbourhood Plan. In particular, development should satisfy the need for new homes for residents in the Parish and at least meet current standards of sustainability, reflect the guidance in the Walkern Conservation Area Appraisal and Management Plan 2016 and be well designed to improve the look and feel of the area.

Housing Land Supply

- 6.67 There is very little land considered suitable for housing development within the village boundary. In order to allow for expansion of the village population, to support existing facilities and services and to offer affordable accommodation and homes for existing residents in later life, a single site has been developed for housing on land south of Froghall Lane. The site is now within the village boundary to provide a new permanent and defensible limit to the further expansion of the settlement towards Stevenage. This is necessary to preserve the important gap between the two settlements. There are limited infill opportunities within the village that will allow the village to continue to grow gradually.

Land South of Froghall Lane (Midsummer Meadows)

- 6.68 The parameters that were set out in the 2018 Neighbourhood Plan for this development are still relevant. The layout and design of the scheme, including significant additional landscaping to create usable and manageable open space and buffers to soften the impact of the new development, are critical to its successful integration. To ensure the open space on the site is retained in perpetuity green space to the west and south of the housing area, will be preserved as Protected Recreational Open Space (see [Policy WLK8](#)). In the south west and north west corners of this space, no buildings or hard surfacing will be permitted unless it is permeable so as not to increase run-off in an area already susceptible to surface water flooding
- 6.69 Other parameters include a generous green corridor parallel to Froghall lane to provide an alternative safe route for walkers accessing the footpaths and open countryside to the west and no new vehicular access onto Froghall Lane, which is already too narrow for the existing homes on the northern side of the road. The development must retain sufficient parking spaces for residents and visitors to ensure that no additional pressure from overflow parking is put on the congested streets of Moors Ley and Aubries or Froghall Lane. Whilst the conversion of garages to residential accommodation is often permitted development, where planning permission is required, such conversions will be resisted.

- 6.70 Hertfordshire County Council’s Local Transport Plan (LTP4) and East Herts District Plan Policy TRA1 Sustainable Transport, recommend a focus on sustainable travel options, rather than higher car parking standards. Sustainable transport options are encouraged in Policy WLK18. However, higher car ownership figures for Walkern compared with East Herts as a whole justify slightly higher parking standards than in the East Herts District Plan, where these can be accommodated. The justification for this higher parking standard can be found in [Appendix J](#).

Policy WLK11 Land South of Froghall Lane (Midsummer Meadows)

- I. The development principles for Land South of Froghall Lane as set out below should apply to the site in perpetuity, to ensure that the development continues to respect the environment of Walkern:
 - (a) No buildings or impermeable hard surfaces will be constructed in the south-west or north-west corners of the site, which are susceptible to surface water flooding.
 - (b) A green corridor along the northern boundary of the site will be retained as a landscaped strip to preserve views into the village and maintain the rural character of Froghall lane.
 - (c) A generous green landscaped area and wetland habitat will be retained and managed to deal with excess run-off and to soften the impact of development on the countryside. This is allocated as Protected Recreational Open Space.
 - (d) Proposal should retain parking spaces in accordance with East Hertfordshire’s Parking Standards to ensure that on street parking does not occur on surrounding streets.
 - (e) No vehicular access will be permitted on to Froghall Lane.
 - (f) All trees and hedges remaining on the site will be covered by the Walkern Neighbourhood Plan Tree Charter.
 - (g) Any development proposal to raise the roof heights must not impinge on View 4 any more than they currently do.

Housing Infill and Rural Homes

- 6.71 New housing proposals should be for infill development within the Walkern village boundary. The use of brownfield land will be encouraged. Gardens contribute to the character of the village and development on residential gardens will be resisted unless they can be proven not to cause harm to the local area, in accordance with the NPPF paragraph 72.
- 6.72 Development along the High Street is a mix of back of pavement buildings or homes with small front gardens and small ‘close’ style clusters of dwellings. Backland or tandem development, where the housing development is set back behind existing properties can be successful, provided it small in scale, and reflects village development patterns, particularly north of Froghall Lane to the west of the High Street and south of Stevenage Road to the west of the High Street.

Policy WLK12 Housing Infill Sites

- I. Within the village boundary on the Policies Map, small-scale infill developments will be supported subject to meeting the criteria below and Design should be in accordance with Policy WLK14:
 - (a) There is no unacceptable impact on the amenities of adjacent residential properties.
 - (b) Appropriate access, car parking provision and turning arrangements are provided.
 - (c) Important views and open spaces that contribute to the enjoyment of residents of the village and are important to the character or appearance of the conservation area are retained.
 - (d) Use of gardens should ensure private amenity space is in scale with the size of existing and new homes.
 - (e) Backland or tandem development should reflect existing village development patterns.
 - (f) Density should make the best and most efficient use of land whilst improving biodiversity.
- II. Brownfield sites are preferred to greenfield sites. Site redevelopment should respect existing building lines, scale and massing of surrounding buildings.
- III. Private gardens contribute to the character of the village and inappropriate development of garden land will be resisted.

6.73 District Plan Policy GBR2 permits development in the Rural Area Beyond the Green Belt provided that it is compatible with the character and appearance of that rural area. Proposals for housing must comply with criteria (d), (e), (f) and (g), or be development identified in an adopted Neighbourhood Plan. No housing development sites are identified in this Plan. Walkern has exceeded its target of 55 new homes within the Plan period of 2017-2033, as set out in District Plan Policy VILL1. Other single rural homes in the countryside will be supported where development proposals are in accordance with national policy or the policies contained within the District Plan. The Parish Council considered the issue of local housing need, and a Housing Needs Survey was conducted by Community Development Action Hertfordshire (CDA) to support this policy. It was evident from the consultations on the Neighbourhood Plan that there were specific requirements for housing for local people, which is affordable and for bungalows or suitable housing for older people, so that they can remain in the village in later life. In the East Herts District Plan, the type, tenure and mix of housing will be identified. However, the CDA report has supported the Parish Council's assertion that priority should be given to residents.

Policy WLK13 Rural Homes

- I. Outside the village boundary of Walkern, high quality conversions to single rural homes of Local Needs Affordable Housing, will be supported where development proposals are in accordance with national policy or the policies contained within the District Plan.
- II. Rural Exception Affordable Housing schemes in the two small settlements of Clay End and Bassus Green will be supported, provided that they do not impinge on important views and do not conflict with other policies in this Plan or the District Plan.
- III. For the purposes of the Neighbourhood Plan, Local Needs Affordable Housing on rural exception sites will be allocated to persons who:
 - (a) have been ordinarily resident in the Parish of Walkern for the 12 months immediately preceding the date of application for the affordable housing unit or who have at any time previously resided in the Parish for at least five years, or
 - (b) have a strong local connection with the Parish of Walkern through a close family connection or being employed within the Parish.

If no applicant qualifies under the first set of criteria, those who are resident in, or have a strong local connection with neighbouring parishes will be eligible. If there are no nominations from the rural parishes within East Herts, then nominations from those in greatest need from within the district will be acceptable.

- IV. Other single rural homes in the countryside will be supported where development proposals are in accordance with national policy or the policies contained within the District Plan.

Design of New Development

- 6.74 The design of new housing development should reflect local style and building materials and the traditional and historic character within Walkern Conservation Area. (Detailed guidance on design is contained in the Walkern Conservation Area Appraisal and Conservation Area Management Plan 2016). Where practical, homes should be designed to increase biodiversity, particularly where natural habitat is lost through the development; reduce surface water run-off, so as not to compound issues of flooding in Walkern; and be as energy efficient as possible.
- 6.75 Design guidance for all new development and new homes in particular is provided in Policy WLK14 Design of New Development.

Policy WLK14: Design of New Development

- I. The scale and design of all new development will reflect the character of Walkern, and its historic Conservation Area as detailed in the Walkern Conservation Area Appraisal and Management Plan 2016. In particular, the following guidelines will apply:
 - (a) Building materials and detailing should be complementary to the existing character of Walkern as set out in the Walkern Conservation Area Appraisal (2016), and sympathetic to the form, style and materiality of traditional village properties, particularly those that surround the build.
 - (b) New buildings should respect neighbouring roof profiles, heights and pitches, the characteristic spacing between buildings, historic building lines, density of development in the village and important views and vistas.
 - (c) Redevelopment, extensions, or alterations to historic farmsteads, agricultural buildings or residential properties should be sensitive to their distinctive character, materials, and form.
 - (d) Site topography should be taken into account to ensure no loss of amenity to surrounding homes, including overlooking.
 - (e) Sufficient off-road parking should be provided in accordance with East Herts District Council parking standards.
 - (f) Hardstanding should be minimised and constructed of porous material assisting natural drainage and achieving at least greenfield run-off rates and preferably zero run-off achieved through infiltration. Run-off should be minimised using SuDS which are designed to be multifunctional, providing new blue-green infrastructure and improving biodiversity.
 - (g) Layout of new roads, where appropriate, will include parking bays to accommodate delivery and utility vehicles without constricting traffic flow.
 - (h) Street lighting should be sensitively designed to reflect the rural nature of the parish and minimise impact on bats and other nocturnal wildlife.
 - (i) Bat boxes, swift bricks and planting to encourage biodiversity and provide wildlife corridors will be commended

Residential Properties

- (j) East Herts Parking Standards should be adhered to in new developments so that overflow parking does not occur on surrounding streets. A minimum of 2 spaces for all new homes would be welcomed, where it can be accommodated.
 - (k) Enclosures to accommodate storage of refuse bins should be provided within the curtilage of each new home.
 - (l) All homes should have access to a modest garden space where appropriate, characteristic of village living and easy access to public open space.
 - (m) Boundaries, particularly to front gardens, should preferably be marked with hedges of appropriate native species.
 - (n) Homes should be energy efficient and include the most up to date technology where appropriate.
- II. Modern, innovative design will be welcomed provided that the above criteria are met.

- 6.76 Eighty five percent of respondents to the Neighbourhood Plan questionnaire thought that all homes should have their own garages/parking. Acute parking problems occur in the evenings and at weekends when cars are parked on pavements forcing pedestrians to walk in the road and parking on the High Street blocks through traffic. New homes with small gardens were a popular choice of residents, rather than large gardens or communal garden space.
- 6.77 Due to the severe problems caused by on-street parking on narrow main roads and residential streets, East Herts Parking Standards should be adhered to whilst exceeding the targets will be welcomed. Additional information is provided to evidence the need for a slightly increased standard in Appendix J.

Employment and Business

- 6.78 The NPPF supports sustainable economic growth; local planning authorities are required to plan proactively to meet the development needs of businesses. In paragraph 88, the NPPF states specifically that planning policies should support economic growth in rural areas to create jobs and prosperity. Thus, neighbourhood plans should support the growth and expansion of business in rural areas and support the development and diversification of agricultural and other land-based businesses. Support is also given to rural tourism and leisure developments, as well as the retention and development of local services and community facilities. This approach is mirrored in the East Herts District Plan (Policy ED2) which encourages development, subject to set criteria.
- 6.79 The parish of Walkern consists mainly of agricultural land, with a number of working farms. Yet, according to the 2011 Census only eight people were working in agriculture, just over 1% of the working population of 816. Few residents actually work in the parish. The main centres for employment are Stevenage, Hertford, Cambridge, Greater London and at Stansted Airport.
- 6.80 Within the parish, the main employers are the school and a number of small businesses, some of which operate from units at Walkern Hall Farm, the Piggeries and the Magic of Christmas. A growing number of people now work at home (82 in 2011). Feedback from the Open Day (April 2015) showed support for local existing businesses and creative industries. This support has continued and so is reflected in the following policies. In addition, support for facilities for homeworking, and encouragement for new employment opportunities for residents has increased due to the Covid epidemic.
- 6.81 Manor Farm, on High Street, Walkern provides employment in the village. The Farmhouse at Manor Farm is Grade II* listed and the walls, pond and dovecot adjacent to the High Street form part of the curtilage of the farmhouse. Access is via a narrow lane.

Policy WLK15 New Businesses

- I. **New businesses and employment will be permitted, provided that new or expanded enterprises are of a scale and type appropriate to the rural setting of Walkern and its Conservation Area and comply with other policies in the Neighbourhood Plan. Further development at Manor Farm would be supported provided that suitable and safe vehicular access is provided.**



Figure 19: The narrow lane to Manor Farm is adjacent to this wall and pond

Policy WLK16 Diversification of Farm Businesses

- I. Proposals for the diversification of farm businesses will be supported provided:
 - (a) The development is ancillary to the agricultural business or
 - (b) The development supports the viability of the existing farm holding
 - (c) The development does not include domestic housing for sale.
- II. The potential impact on rural lanes must be assessed and measures put in place to mitigate the impact of increased traffic in the rural area.

Home Working

6.82 Proposals for new homes should include the provision of a home-work area. In addition, Walkern is poorly served by access to electronic communications infrastructure, including high speed broadband and mobile telephone networks. Development of new technology has generated changes in working patterns, enabling businesses and individuals to work in more flexible ways, including working from home. Support for better quality communications infrastructure is set out in the NPPF (paragraphs 118-122) and in the East Herts District Plan. It is also an objective of this Neighbourhood Plan.

Policy WLK17 Home Businesses

- I. Proposals for new homes should include space for homeworking.
- II. Support will be given to the installation of new infrastructure including high-speed broadband and mobile networks to facilitate home working where:
 - Infrastructure is fully integrated into the design of future development proposals;
 - Where new masts or structures are required, they should be sympathetic to their surroundings;
 - Infrastructure should consider safety precautions for wildlife.

Sustainable Transport

Roads and Traffic

- 6.83 The B1037 is the only classified road running eastwards out of Stevenage. When reaching Walkern village it turns sharply left and becomes Walkern High Street. The level of traffic at peak times caused by commuters into and out of Stevenage through the narrow High Street causes acute traffic congestion. Parking in the High Street and side roads near the school exacerbates this problem. Limited infill housing development throughout the village should not exacerbate this situation and the impact of disruption caused by construction in the tight confines of the village streets must be assessed in any development proposal.
- 6.84 Responses of residents to public consultation expressed serious concerns about increased traffic through the village including traffic noise, pollution, pedestrian safety, and the impact of Heavy Goods Vehicles ignoring the weight limit restriction.



Figure 20: Congestion in the High Street

Vehicle Parking

- 6.85 Car ownership is high in Walkern with 66% of households owning 2 or more cars compared with an average of 46.5% for East Herts as a whole (Source: 2011 Census). Parking on street for homes with no private parking and cars parked to use the services in the High Street contribute to the congestion problem. Any additional houses in the High Street must provide off-street parking to ensure that this problem does not get worse. Opportunities to provide parking for residents and visitors to the village off the High Street will be sought.

Public Transport

- 6.86 Public transport facilities are particularly poor considering that there is a main-line railway station with fast trains to London only 8 km away in Stevenage. The bus service is of limited use to commuters since it finishes before 6pm.
- 6.87 Footpaths are narrow and, in some cases, non-existent. New developments should be integrated into the village through adequate footpath and cycle links to village facilities. A comprehensive survey of footpaths in Walkern was carried out by the WNPg, a summary of which is contained in the Consultation Statement. Issues arising from the survey along with other issues are included as projects in [Appendix K](#).
- 6.88 Safe outdoor exercise improves health and wellbeing. The roads in Walkern are narrow with long stretches of cars parked on the roadside and rural roads are winding and dangerous for cyclists. The local community supports the long-held aspiration for a new cycle and footpath link to Stevenage.
- 6.89 The 2016 Conservation Area Appraisal and Management Plan for Walkern specifically identifies high levels of vehicular traffic as a negative and detractive element, harming its rural character. It describes the junction of the High Street with Stevenage Road being a busy junction and traffic through the village being “incessant”. This situation has worsened since the Conservation Area Appraisal was written and will worsen still once the eastern extension to Stevenage is built and occupied. Providing secure and accessible cycle storage provision in new developments and at community facilities would encourage active transport and reduce traffic impact. This would support HCC’s LTP4 and in turn would help to reduce the negative impact of traffic on the conservation area.

Policy WLK18 Sustainable Transport Provision

- I. Major development proposals in the village must provide a traffic impact assessment, proportional to the scale of the development proposed, which assesses the potential impact of increased traffic on pedestrians, cyclists, road safety, parking and congestion and any measures designed to mitigate such impacts.
- II. Further expansion of the school should include mitigation for any impact of additional traffic congestion and school-related parking at peak times.
- III. Proposals to increase off-street car-parking provision and relieve traffic congestion in Walkern will be supported in principle if they comply with other policies in this Plan.
- IV. Development proposals should help to maintain or improve public transport provision to Stevenage and throughout the parish of Walkern. Other proposals to increase the use of sustainable transport such as off-street charging points for electric cars will be supported.
- V. Secure and accessible cycle storage should be provided as part of any new development and, where funding is available, at community, health and education facilities.

6.90 Secondary and further education facilities are in Stevenage, and at Edwinstree School and Ward Freeman College in Buntingford, although some students travel further afield. Hertfordshire County Council provides primary education locally at the Walkern Primary school, located on the High Street. The school has been extended to cope with anticipated increase in demand, but any significant increase in housing numbers would require further expansion. The site is tightly constrained by residential development and the River Beane. Traffic associated with the school is heavy and causes considerable congestion on the High Street and nearby side roads at peak times.

Facilities And Services

6.91 Walkern has a range of public facilities and services. From the responses to public consultation, it is evident that these are highly valued by the local community. Support for the safeguarding of key community facilities is embodied in several Neighbourhood Plan objectives. Community facilities are marked on the [Policies Map](#).

Community and Recreational Facilities

6.92 The Walkern Neighbourhood Plan Questionnaire highlighted that the village shop, pubs and churches were the most used community facilities. 26% of those answering the question used the village shop and post office. Some of the shops have changed but all commercial premises still exist as such. The United Reformed Church, the two public houses in the High Street and the village shop/post office were listed as Assets of Community Value. The Parish Council re-applied to East Herts Council for these designations after five years, to continue to recognise their importance for the village.

- 6.93 Outdoor sports and leisure facilities are important features in Walkern. These include the Playground in the centre of the village, a small children's play area at the Aubries, and a sports field (with two football pitches and a cricket pitch). Community consultations for the original Neighbourhood Plan revealed that play facilities for young children were inadequate and required improvement.
- 6.94 The Playground now has a focus for young children with a greater and safer range of equipment. Seating has been introduced and planting of a native species garden. Further planting of trees and hedges is planned in accordance with the Walkern Tree Charter, with fruit trees for the community at the rear of the site. The Playground now feels more like the focal point of the village.
- 6.95 Many residents expressed an interest in extending the range of sports and leisure facilities, especially at the Sports Field. An outdoor keep fit trail has been installed and further improvements are planned.



Figure 21: Walkern Sports and Community Centre

- 6.96 Existing community and recreation facilities must be retained, protected and enhanced. Loss of facilities will only be acceptable where alternative provision is of a scale and standard equivalent to, or superior to, the existing facilities. Alternative provision must be provided within the Parish.

Health and Wellbeing

- 6.97 Main hospital facilities and health clinics are in Stevenage. A GP surgery that ran four times a week at 80 High Street, Walkern is a much-missed asset, especially for elderly patients, families with young children, and those without personal transport. The surgery was held in privately owned premises, which were leased to the Health Trust. The Parish Council supports the reprovision of the surgery in Walkern at an accessible location.

Walkern School

- 6.98 Walkern Primary. School is a popular community asset and has some capacity to take more children. The Parish Council fully supports the current and future provision for primary and pre-school education in Walkern. It will liaise with the County Council to ensure that facilities continue to serve the needs of the local community in the future.

Clark's Garage

- 6.99 The garage is a local family run business which provides repairs, servicing, sales of parts and a forecourt with fuel and tyre pump, plus a recovery service and even gas bottle refills. It is well used and reviewed by residents.

St Mary's Church and St Mary's Church Car Park

- 6.100 The church is not only a heritage asset but is also used as a community venue for the village. It hosts concerts, community events and is home for Walkern's food bank. In addition, the church car park is frequently used as a safe place to park for walking from Walkern.

Policy WLK19 Valued Community Assets

- I. The proposed loss of the valued community assets listed below will be assessed, where appropriate, in accordance with District Plan Policies CFLR8, ED1 and ED2. New community assets will be considered against District Plan Policy CFLR7:
 - Clarks Garage, High Street
 - Playground, High Street
 - Play Area, Aubries
 - Walkern Sports and Community Centre
 - Walkern and Sandon United Reformed Church, High Street
 - White Lion Public House, High Street
 - Yew Tree Public House, High Street
 - Budgens Village Store, High Street
 - Walkern Primary School
 - St Mary's Church, Church End
 - St Mary's Church car park, Church End
 - Brewery Tea Room, High Street
- II. The re-provision of health services in the village will be encouraged in accordance with District Plan Policy CFLR9.



Figure 22: Walkern Sports and Community Centre

Implementation

6.101 The Neighbourhood Plan will continue to be delivered and implemented over the period to 2033, providing a direction for change through its vision and objectives. The policies will guide the development of Walkern Parish and protect those assets most appreciated by the community. The policies may be amended at intervals to remain in line with the District Plan and any such review or update will be carried out in accordance with the process and procedures in place at that time. The Parish Council will continue to monitor the effectiveness of the Neighbourhood Plan in its aims and objectives in protecting Walkern's historic character and strong rural identity whilst ensuring the village develops sustainably.

6.102 In accordance with Objective K, the Project List appended to this Plan will channel resources and volunteer activity into improving leisure facilities for parish residents, reducing the impact of traffic on the village and making the village more accessible.

Policy WLK20 Funding Priorities

- I. **Walkern Parish Council will maintain and update the Action Plan as a schedule of priorities to receive the benefit of funding from S106 agreements and any other funding streams such as a Community Infrastructure Levy.**



Figure 23: The Beane Valley

Appendix A Policies Mapped to Objectives

Ref	Objective	Policies
A	Ensure the River Beane, a rare chalk stream that runs through Walkern Parish, is preserved, protected from over-abstraction and public access is maintained	WLK1, WLK6, WLK8, WLK9, WLK10
B	Enhance and improve the environment and environmental quality of the Parish, minimising noise, air and water pollution	WLK1, WLK2, WLK3, WLK4, WLK5, WLK6, WLK7, WLK9, WLK10, WLK11, WLK14, WLK18
C	Ensure the mix, size and type of new housing meets local needs, including a sufficient supply of affordable housing for sale and rent and preferential access to some new homes for people with a strong local connection	WLK1, WLK11, WLK12, WLK13,
D	Require new development to be of high-quality design, built to a high sustainability standard and to be sympathetic to, and improve, the look and feel of the Parish	WLK1, WLK3, WLK11, WLK14
E	Ensure that new development is phased and located to minimise the impact on the already limited road infrastructure in the village	WLK1, WLK14
F	Ensure the design and location of new developments are resilient to the effects of climate change and flooding	WLK1, WLK14
G	Support existing businesses, creative industries and home working, and encourage new local employment opportunities for residents	WLK1, WLK15, WLK16, WLK18
H	Preserve and enhance public transport services to and from the village for residents who do not have use of a car, and encourage safe walking and cycling options	WLK1, WLK18
I	Ensure that community facilities and services enhance the health and wellbeing of residents	WLK1, WLK19, WLK20
J	Ensure the village has recreational facilities that meet the needs of young children, teenagers and adults, and strengthen the sense of community	WLK1, WLK8, WLK9, WLK19, WLK20
K	Make the best possible use of funding through Section 106, a Community Infrastructure Levy or other funding related to development in the parish, to improve parish facilities.	WLK1, WLK20

Appendix B Views, Vistas and Landscape Features



View 1: West from opposite the United Reformed Church (High Street) through Manor Farm paddock

This view westward from the High Street opposite the URC, looks through Manor Farm paddock and across a gentle green rise towards Churchend Common. It is an important gap in built form at the northern end of the High Street and a rare remaining transverse view giving a sense of space and a glimpse of the rural setting of the village. It is identified as an important open space to be protected in the Walkern Conservation Area Character Appraisal (2016). The paddock and land behind is outside the village boundary and the view should not be interrupted by buildings within the space or impacting on the openness of the space.



View 2: East along Church End over the ford

The view along Church End over the ford around a gentle bend revealing little by little the picturesque grade 1 listed Church of St Mary the Virgin is probably the most characterful in the Parish. The road is narrow and bounded by mature trees and hedges, overlooked by an established rookery. The view is part of an identified 'Focal Point' in Walkern Conservation Area Character Appraisal (2016). It is important to retain the features of the lane, its boundaries and the ford itself and to ensure an uninterrupted view to the church.



View 3: North from the meadows to St Mary the Virgin Church

As you look northward along the River Beane, towards the ford on Church End, the Church of St Mary the Virgin is clearly visible above the trees. This view is much appreciated by the many local walkers that use the area on a regular basis. The meadow has been designated local green Space (where only development appropriate in the green belt will be permitted), however the view should remain uninterrupted to maintain its openness.



View 4: East from Box Wood towards Walkern

This view, on the road from Stevenage to Walkern, from the corner by Box Wood, looking east over the valley of unspoilt countryside dotted with farm buildings. Walkern lies on the west bank of the River Beane in the Middle Beane Valley. From this viewpoint, the village nestles into the landscape without breaking the skyline although the iconic Wrights tower is visible to the right of the view. In order to maintain this view of the village, from every vantage point, new development should not be more prominent in the landscape than the existing built form of the village and should blend into the river valley.



View 5: East of the River Beane to Wrights Tower House above the Finches

Views from the east of the River Beane looking west over the village all feature Wrights Tower house. The iconic Victorian tower, previously part of Wrights brewery is an important non-listed building now converted to a home. It is the only building which can be seen above the village and should remain the only reference point on the skyline. New development should respect the very low impact of the built form of the village on the surrounding valley and blend into the existing views.



View 6: North from the entrance to Walkern along Benington Road

Entering Walkern where Benington Road gently bends over the River Beane into the High Street a stunning view is unveiled. The historical context of the War Memorial, Pearman's Mill and Mill Cottage, contrasts with the River Beane flowing under the brick bridge, and the fields beyond. These features make up an identified 'Focal Point' in Walkern Conservation Area Character Appraisal (2016). This view at the entrance to the village is an important focal point in the conservation area that should be preserved or enhanced.



View 7: South west from Froghall Lane towards Stevenage

This view is looking from Froghall Lane, southwest towards Stevenage shows the Middle Beane Valley. Box Wood is to the right of the picture and the landscape buffer tree line is in front of Gresley Way to the left of the picture. The view is interrupted only in the small gap where Stevenage Road joins the roundabout on Gresley Way. All the land in this picture is in the Parish of Walkern. This unspoilt view of traditional farmland and ancient woodland is precious green belt land which should be retained, both for its purpose of separating the village of Walkern from the town of Stevenage and for its intrinsic beauty.



View 8: East from High Street opposite Glebe View

The view from the footpath at the junction of High Street and Glebe View encompasses the paddock in the foreground, and gently undulating fields and woodland in the distance. The Old Rectory is mentioned in the Conservation and Heritage Section in relation to non-designated heritage assets. Hertfordshire Gardens Trust hope to undertake further research on grounds of the house to establish their heritage value. In the meantime, this special view acknowledges the importance of the view across this landscape.

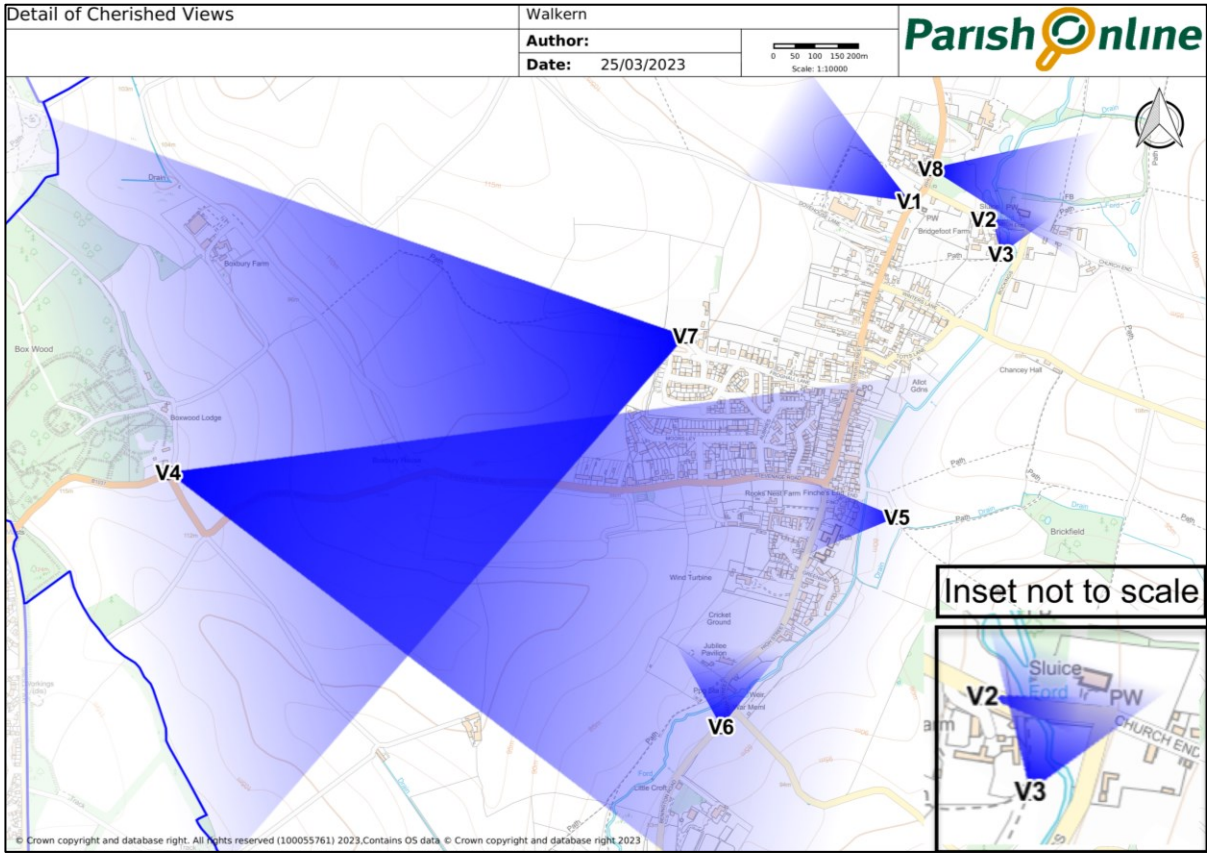


Figure 24 Detail of All Important Views

Appendix C Non-Designated Heritage Assets

Queen Elizabeth II pole mounted post box, Clay End (TL305251)

Poor condition. Located on small green in historic hamlet of Clay End. Significance enhanced by proximity of decorative cast iron lamp column.

Decorative cast iron lamp column, Clay End (TL3305251)

Poor condition. Located on small green in historic hamlet of Clay End. Significance enhanced by proximity of Queen Elizabeth II pole mounded post box.



Figure 25: Post Box (left) and Lamp Column (right), Clay End

Pair of decorative cast iron lamp columns, High Street, Walkern (TL288262) and (TL288262)

Replica Victorian lamps on old decorative columns.



Figure 26: Decorative Lamp Columns (High Street)

Decorative cast iron lamp column in front of St Mary the Virgin (Grade I listed church), Church End (TL292265)



Figure 27: Decorative Lamp Column, St Mary's Church

Bridge and Weir, High Street, Walkern

One mile downstream from the church and ford, on the River Beane lies the old water powered flour mill.

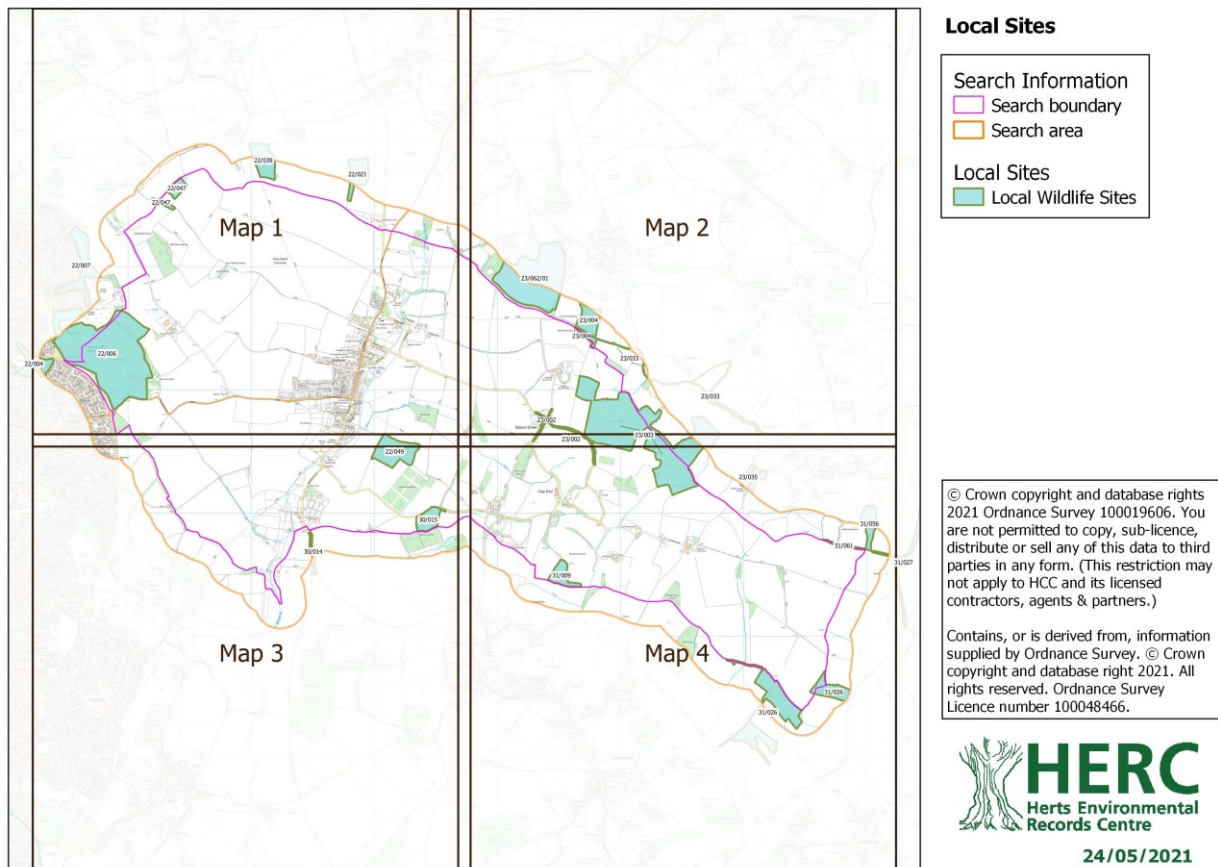
The bridge comprises red brick arches with capping stones, rebuilt and strengthened several times in its history to withstand road traffic into Walkern. Metal workings and paraphernalia remain in situ.

<https://www.hertsmemories.org.uk/content/herts-history/places/rivers-and-canal/aspects-of-watton-at-stone-1>



Figure 28: Weir (left) and Bridge (right), High Street

Appendix D Designated Wildlife Sites



Extract from Wildlife Site inventory - Data Supplied by Herts & Middlesex Wildlife Trust

22/006 Pryor's Wood/Box Wood T1270263

Ancient Hornbeam coppice with Pedunculate Oak standards woodland plus some Ash, Wild Cherry, and Hawthorn. The wood has been extensively cleared and replanted with Larch, Corsican Pine, Douglas Fir, Western Red Cedar, and Beech. Pryor's Wood is the nature reserve consisting of mostly old secondary woodland grown up on the site over the past 150 years. It is dominated by Pedunculate Oak with Silver Birch, Wild Cherry, Hawthorn, and some Hazel. There is an area of ancient Hornbeam coppice. a diverse assemblage of flowering plant species has been recorded including the local species Green Hellebore and Violet Helleborine. Pryor's Wood contains many woodland indicator species including Wood Anemone, Yellow Archangel, Primrose, Dog-violets, Bluebell, and the very local species Great Woodrush has been recorded here. Other records include the nationally notable beetle *Platycis Minutus* and the local White-Letter Hairstreak. The bird fauna is particularly rich with numerous breeding species including past records for Hawfinch and Wood Warbler. 17 species of mammal have been recorded including the hazel dormouse. At the eastern edge of Box Wood, within rough ground, is a disused chalk pit. other earthworks within the site add further habitat diversity. Wildlife Site criteria: ancient Woodland inventory site; woodland indicators.

22/047 The Warren (n.e. of Stevenage) T1273277

Ancient semi-natural Hornbeam coppice woodland with Pedunculate Oak and Ash standards. The understorey supports Hawthorn and Elder with Hazel and the ground flora contains woodland indicators, mainly Bluebell, with Bramble and Common Nettle. Wildlife Site criteria: Ancient Woodland with a semi-natural canopy and field evidence suggesting an ancient origin; shown on Bryant 1822): > 1 ha

22/049 Coble's Spring and The Bushes T1292255

Woodland divided into three compartments by rides, which partly support species-rich neutral grass. Coble's Spring in the east is an ancient woodland site and is mainly composed of planted Ash and Sycamore with some Scots Pine and European Larch. The ground flora supports ancient woodland indicators including Dog's Mercury in the west is divided into a northern section of secondary broadleaf woodland and a southern section of mainly of dense scrub with a large clearing. The broadleaved woodland is predominantly secondary Pedunculate Oak with a dense sub-canopy of Elder and Hawthorn and a ground flora dominated by Dog's Mercury. The grassy ride is the best area and supports herb-rich flora. The wood is used by protected species. Wildlife Site criteria: Part ancient Woodland (Coble's Spring) with restorable elements of its previous semi-natural character including some semi-natural canopy, shown on Bryant (1822) part old secondary woodland with a semi-natural canopy and varied structure.

23/002 Bassus Green Road Verges T1304257

Broad grassy road verges comprising species-rich neutral grassland with damp areas, ditches, old hedges and scrub. The sward supports grassland indicator species including lady's Smock Meadow Vetchling, Common knapweed Cowslip Meadow buttercup and Common Sorrel. The nationally rare Scarlet Malachite beetle has been recorded. Wildlife Site criteria: grassland indicators: species.

23/003 St. Johns Wood and Lords Wood T110256

Ancient semi-natural Pedunculate Oak Hornbeam woodland with mature Hornbeam coppice and frequent Pedunculate Oak standards. There are also Ash standards and Hazel coppice along with some Birch and Field Maple. The wood also comprises some secondary scrub woodland and areas which have been replanted. The ground flora is diverse, with records for numerous woodland indicators, including several Ferns Violets and Sedges, Bluebell, Yellow Pimpernel, Wood Sorrel, Wood Anemone Primrose and Violet Helleborine, an uncommon plant in Hertfordshire. There are numerous records for birds, including Nightingales. The Hazel Dormouse and Harvest Mouse are also present. Historically the site was well known for its diversity of butterfly species. External and internal wood banks, numerous small ditches and marshy/damp rides and habitat diversity. Wildlife Site criteria: ancient Woodland inventory site: Woodland indicators: species.

30/015 Baron's Grove T1294249

Part ancient semi-natural Pedunculate Oak/Hornbeam and ash, Field Maple, Hazel woodland with some Beech. Mixed plantation to the south. Two small ponds recorded in the north of the wood near the boundary. The northern margin is bordered by a Hawthorn hedge. a ditch and grassy ride mark the southern edge of the ancient woodland area, following a parish boundary. The ground flora in the northern part of the wood is dominated by Bluebell and Dog's Mercury. Wildlife Site criteria: ancient Woodland inventory site; woodland indicators.

Appendix E Walkern Tree Charter

The Walkern Tree Charter will sustain landscapes rich in wildlife, whilst planting for the future. It is aimed at giving people the feeling of wellbeing, health and hope with the help of our trees.

The purpose of the Tree Charter is to:

- Protect irreplaceable trees and woodland
- Plan a greener local landscape and strengthen our existing landscapes
- Combat the threats to our habitats from flooding and climate change
- Improve accessibility for the community to the benefits of trees.

This will be achieved through the protection, management and enhancement of trees, woodland, and hedges. Of particular importance will be the scarce resource of ancient woodland and veteran trees. Box Wood is particularly at risk due to the subdivision of the woodland in to separate leaseholds. More details on Box Wood can be found as an addendum to this charter.

Benefits of Trees

- Trees offer us health and wellbeing, by walking and viewing.
- There are many aspects of wildlife, colour and sounds that are within their canopy throughout the seasons.
- Trees give our fields and roadsides a definition, specifically in the rural parish of Walkern where they break up boundaries and can denote ancient sites.
- Trees absorb carbon monoxide and pollution from the increasing traffic through the village and in particular at the primary school where children play near to the road.

Tree Care and Management Guidelines

- Residents should ensure that any trees and hedges within their curtilage are maintained. Annual pruning will be the householder's responsibility e.g. root, height and width and disposing of detritus.
- Tree Preservation Orders will be sought from East Herts Council where urgent and/or long-term protection of important trees is identified.
- The Parish Council will be responsible for adhering to the Charter on land that they own or manage, by ensuring maintenance and pruning as and when necessary, e.g. at Walkern Sports and Community Centre and the Playground in the High Street.
- Landowners should ensure that there is safe access to their woodland on accessible and maintained public paths.
- Landowners/leaseholders should manage and maintain their woodlands.
- The Parish Council will carry out a bi-annual walkabout to note any overhanging branches or other necessary work to ensure safety to the public as well as open reach cables etc, also noting any tree seedlings that have grown or are growing inappropriately and will act accordingly to rectify the problems.

- Highways will be responsible for maintenance to any existing tree/hedge that is deemed in need of work that does not belong to a householder and notified by the Parish Clerk.
- The landscape management contract for the 'Midsummer Vale' site will ensure the maintenance, care, pruning and replanting of all boundaries and native trees planted in accordance with planning conditions. The contract should include replanting as it is known a good percentage of new planting does not survive until established.

Key Contacts for Enquiries and Issues

- Local Tree Warden (to be appointed by the Parish Council) in the interim contact Councillor Michele Rist michele.rist@walkernparishcouncil.org
- Tree Officer (Arboriculturist) at East Herts Council on 01279 655261
- Trusted Local Arborists and Nurseries
 - RR trees, rowan@rrtrees.co.uk or 07792 129669
 - Andy Gardner, Specialist Tree Care & Landscapes, 18 Stevenage Road, Walkern, Herts SG2 7NN or 01438 860368
 - Van Hage Garden Centre, Pepper Hill, Great Amwell, Herts, SG12 9RP or 01920 870811

Inventory of Trees and Woodland

An inventory of trees and woodland will be held by the Parish Council to include:

- Ancient and veteran trees
- Mature Woodland
- Established hedgerows
- New planting
- Woodland Walks
- Memorial trees

The outcome of this charter will be to make the air cleaner, to prevent flooding, to preserve the views and vistas in the Beane Valley and maintain the green corridors to enhance biodiversity.

Walkern Tree Charter Addendum - Box Wood

- It is roughly 60 acres of ancient woodland in the Green Belt.
- The wood is covered by a Tree Preservation Order TPO639.
- It is a Local Wildlife Site.
- An Article 4 Direction was served on Box Wood on 22 July 2020 by East Herts Council. The Article 4 Direction removed permitted development rights in relation to means of access, gates, walls and fences and temporary uses of land. A permanent Article 4 Direction will be sought by the Parish Council.
- Metal detecting is illegal on the site due to its status as a Scheduled Monument.
- Box Wood is mentioned in the Domesday Book.
- The Freehold of the site is still in the hands of a private single owner, but conditional leasehold plots have been sold.

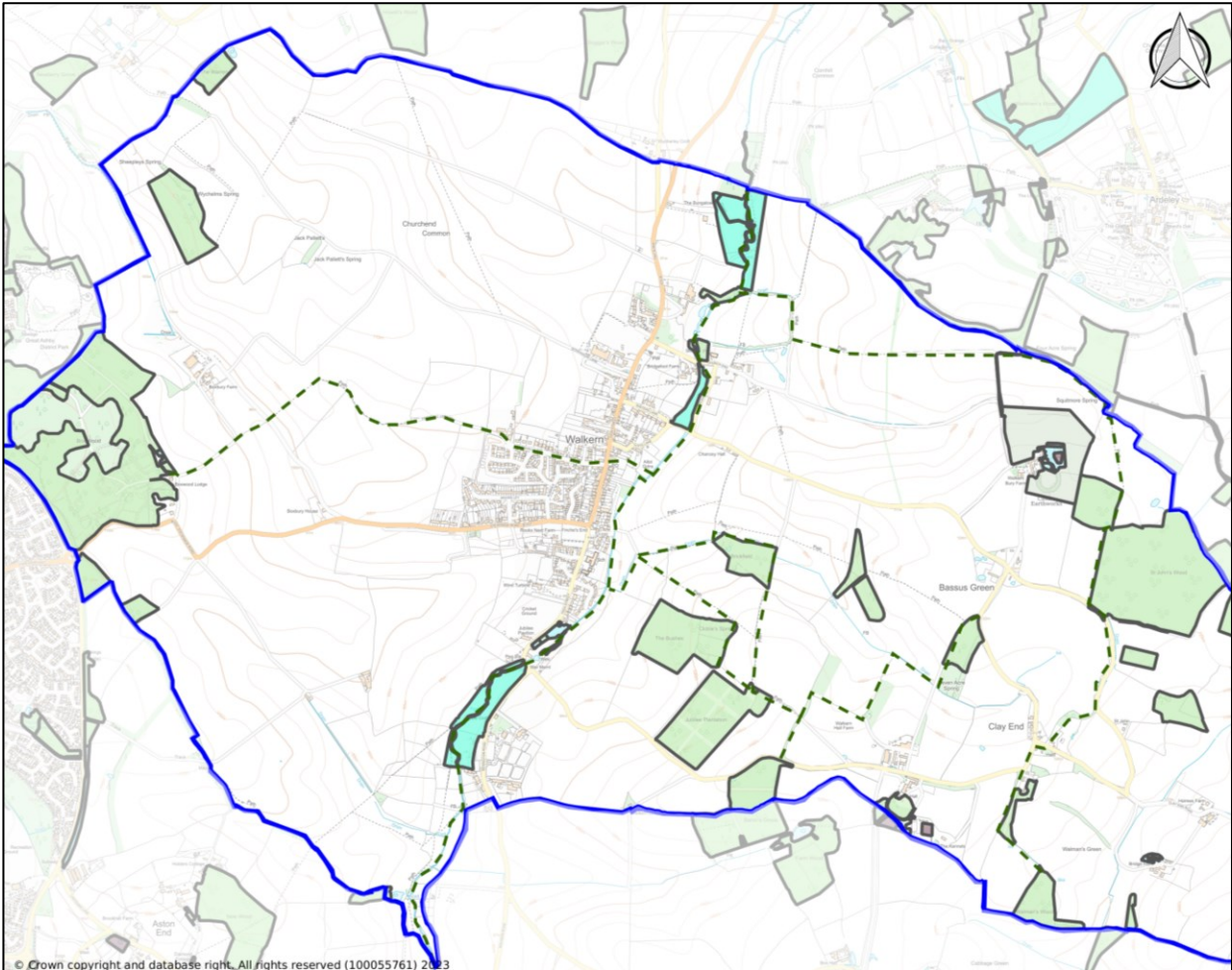
- The wood is well used and suffers from footfall and motorcycle use.
- A few ancient trees, from the remains of an ancient cemetery are still in existence in the garden of Box Wood House, including a veteran yew.
- Species of tree include Beech, Hornbeam, Oak, Douglas Fir, Red Cedar and European Larch, Grand Fir, Western Hemlock, Birch, Ash and Sycamore.



Figure 29 Veteran Yew, Box Wood

Appendix F Green Corridors

This map shows the Priority Habitat Inventory published by Natural England (Source: Parish Online) overlain with the Green Corridors in this Neighbourhood Plan.



Appendix G Local Green Space



LGS 1 & 2: Land west of the River Beane north of the Ford, Church End



LGS 1 & 2: Land east of the River Beane north of the Ford, Church End

There are views into both areas from the ford over the River Beane on Church End. These combine with other features to make this area a favourite meeting place and an area for informal recreation by residents and visitors. It is part of an identified 'Focal Point' in Walkern Conservation Area Character Appraisal (2016) and lies adjacent to the grade I listed St Mary the Virgin Church. Both sites are rich in wildlife, particularly birds; LGS 1 contains an established rookery.



LGS 3: Land adjacent to River Beane between Church End and Winters Lane

This attractive meadow affords extensive views into, across and out of the site to the ford and church, and over the River Beane to the countryside beyond. The riverside hedgerow is highlighted in the Walkern Conservation Area Character Appraisal (2016) as making a positive contribution to the conservation area. Two well-used public footpaths (35 & 18) crisscross the site. The thistle rich meadow adjacent to the river supports birds, butterflies & moths.



LGS 4: Land adjacent to Allotments, Totts Lane

This land next to the allotments contains a riverside hedgerow, which is highlighted in the Walkern Conservation Area Character Appraisal (2016) as making a positive contribution to the conservation area. The site also contributes to the rural setting of the village. It is used for grazing but has the potential to be managed to increase biodiversity along the river.



LGS 5: Allotments, Totts Lane

The village allotment site adjoins LGS4 and is adjacent to the River Beane, with views out across surrounding farmland. It includes well-tended allotment plots and a riverside hedgerow, which is highlighted in the Walkern Conservation area Character appraisal (2016) as making a positive contribution to the conservation area. It was previously recreation land but is now rich in wildlife, indicated by a record held at Hertfordshire Environmental Records Office of 600 species of butterflies & moths recorded by a former occupier of an adjacent house.



LGS 6: URC Graveyard, High Street

The graveyard is a tranquil spot on the edge of the village behind the URC church. This space has views out of it to the open countryside beyond. Its heritage value includes the gravestones and the setting the area provides for the Grade II listed church. It also includes a Box tree that is over 200 years old. The tranquillity of the space encourages wildlife. This space is being managed as a space where wildlife and visitors seeking quiet reflection time can co-exist.



LGS 7: Graveyard, Froghall Lane

This area on Froghall Lane is consecrated land owned by East Herts Council. At the Council's suggestion, the Parish Council are considering how they could best use the space as an asset for the village, possibly as a memorial garden. In the meantime, the area adds to the character of Froghall Lane. Historically it was occupied by a Baptist Chapel which is shown on an OS map of 1924 (see Walkern Conservation Area Appraisal and Management Plan page 16). The graves lined up against the wall on the left hand side appear in [a photograph held by Walkern History Society](#).



LGS 8: War Memorial, High Street/Benington Road

The War Memorial and small grass triangle is part of an important 'Focal Point' in the Walkern Conservation Area Character Appraisal (2106). It marks the entrance to the village from the south. A memorial service with the laying of wreaths is held here on Remembrance Day. This is a well preserved and important architectural feature and the green and its setting should be preserved.

Local Green Space Assessment - Basic Criteria

Site description	No	Potential development site	Other designation	Common or Village Green	Garden	Owner known	Planning Application
Land west of River Beane at ford, Church End	1	N	N	N	N	Y	N
Land east of River Beane at ford, Church End	2	N	N	N	N	Y	N
Land adj River Beane between Church End and Winters Lane	3	N	N	N	N	Y	N
Field adj to Allotments, Totts Lane	4	N	N	N	N	Y	N
Allotments, Totts Lane	5	N	N	N	N	Y	N
URC Graveyard, High Street	6	N	N	N	N	Y	N
Graveyard, Froghall Ln	7	N	N	N	N	Y	N
War Memorial, High Street	8	N	N	N	N	Y	N

*SM is the abbreviation for Scheduled Monument (a national heritage designation)

Site description	No	Size (ha)	Local in Character	Extensive Tract of Land	Very Special to the local Community	Close to the community it Serves
Land west of River Beane at the Ford, Church End	1	0.02	Y	N	Y	Y
Land east of River Beane at the Ford, Church End	2	0.15	Y	N	Y	Y
Land adj River Beane between Church End and Winters Lane	3	2.97	y	N	Y	Y
Field adj to Allotments, Totts Lane	4	1.03	Y	N	Y	Y
Allotments, Totts Lane	5	0.53	Y	N	Y	Y
URC Graveyard, High Street	6	0.07	Y	N	Y	Y
Graveyard, Froghall Ln	7	0.04	Y	N	Y	Y
War Memorial, High Street	8	0.01	Y	N	Y	Y

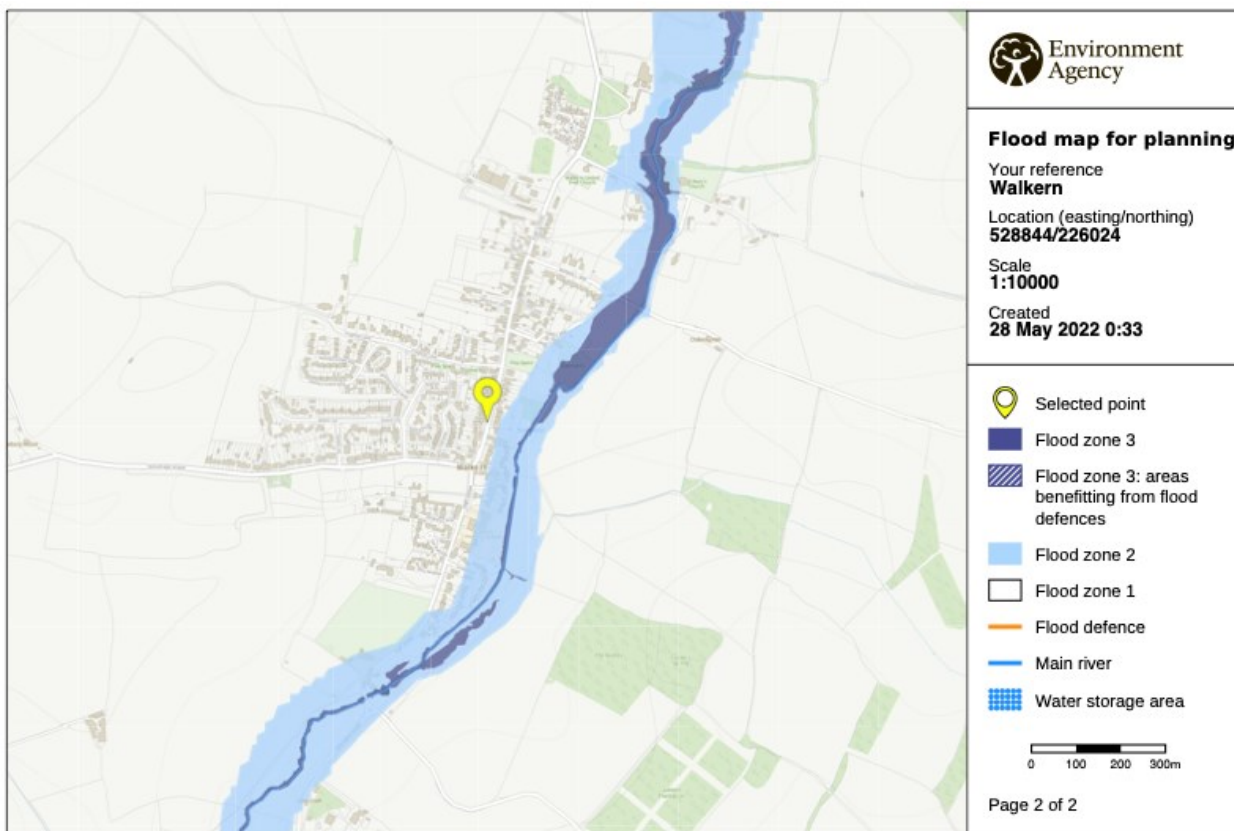
Local Green Space Assessment - Special Features

Site description	No	Attractiveness of Site	Historical Significance	Recreation Use	Tranquil	Wildlife
Land east & west of River Beane at the Ford, Church End	1 & 2	Views into these green spaces from the ford over River Beane are important and combine with other features, to make this area a favourite meeting place	Part of noted 'Focal Point' in Walkern CACC 2016* ¹ , adj to grade I listed church	No public access	yes	Supports bird life (LGS 1 contains established Rookery) adjacent to River Beane
Land adj to River Beane between Church End and Winters Lane	3	Attractive meadow with important hedgerow along River Beane, affording extensive views into/across and out of the site to the ford & church	no	Crossed by two footpaths (35 & 18), well used by walkers	yes	Thistle rich meadow supports birds, butterflies & moths
Field adjacent to Allotments, Totts Lane	4	The continuation of LGS 3 with an important hedgerow along the River Beane contributing to the setting of the village and conservation area	no	No public access	yes	no
Allotments, Totts Lane	5	Site adjoins LGS4 and the River Beane with views out across surrounding farmland, includes well-tended allotment plots with important hedgerow	no	Previous recreation site now well-used allotments	yes	Former occupier of adj house recorded 600 species of moths & butterflies* ²
URC Graveyard, High Street	6	Pretty church garden with views out into open countryside beyond village through trees and hedges on boundary	Setting of Grade II listed Chapel, mentioned in CACA 2016	Available for public use as a quiet space	yes	Quiet place animals, birds, butterflies and insects
Graveyard, Frogghall Lane		A small green space near the centre of the village containing gravestones from Baptist Chapel	Consecrated Graveyard Mentioned in CACA 2016	Publicly owned community space	yes	No information
War Memorial, High Street	8	Part of an important 'Focal Point' in the Walkern Conservation Area Character Appraisal (2106) and marks entrance to village from south	Remembrance Day memorial service & laying of wreaths held here. Well preserved architectural feature	no	no	no

*¹Walkern Conservation Area and Character Appraisal 2016

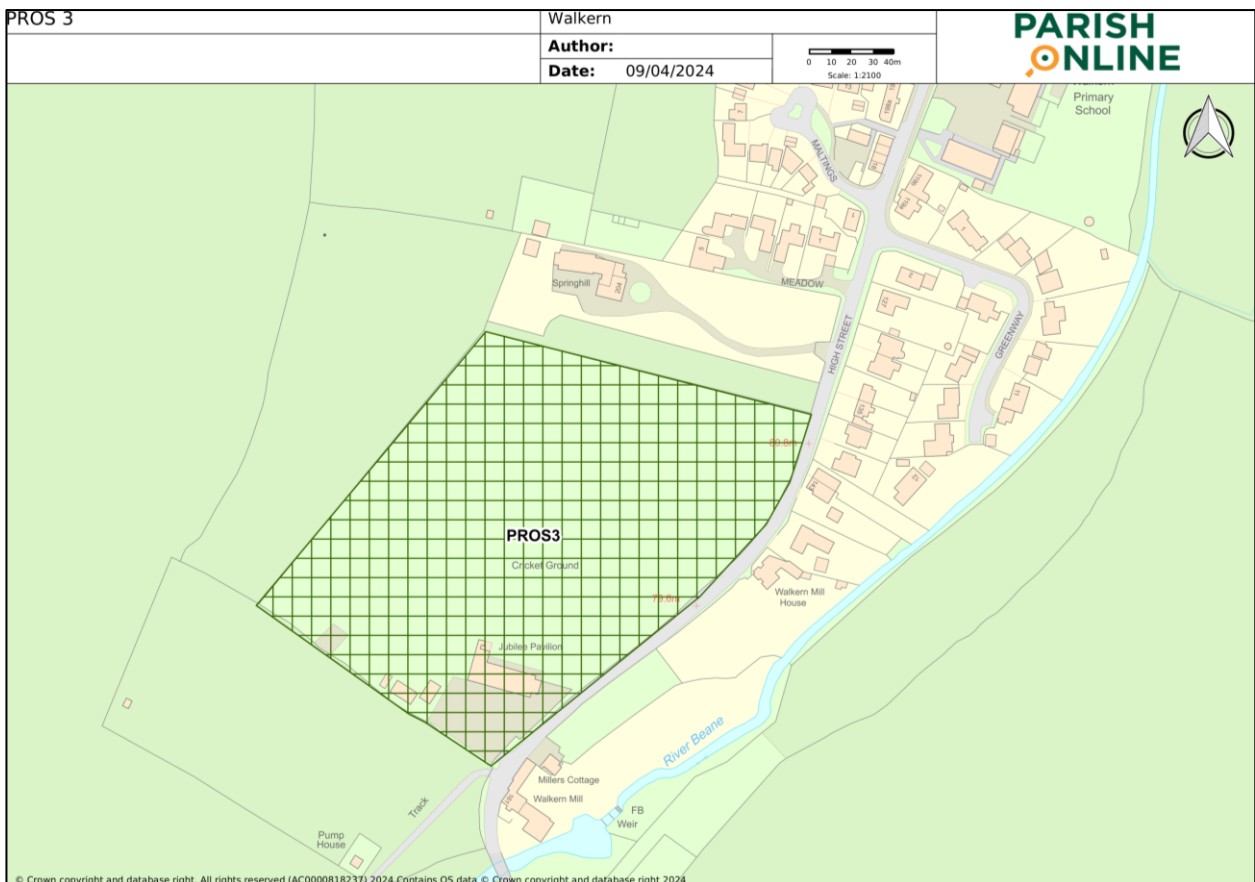
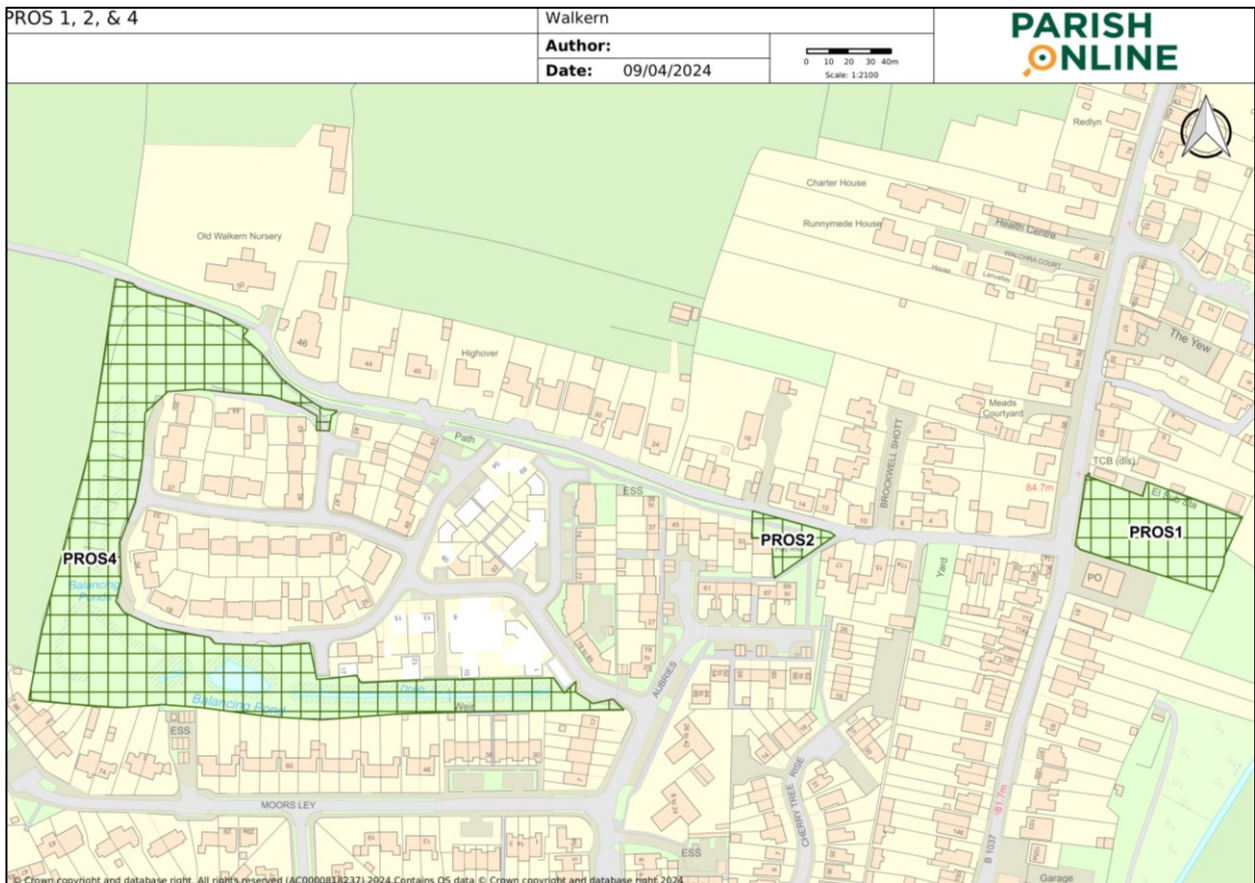
*²List held at Hertfordshire Environmental Records Office

Appendix H Walkern Flood Plain Map



Source:
[Flood Risk Information](#)

Appendix I Detail of Protected Recreational Open Spaces





PROS1: Recreation Ground, High Street

The recreation ground is a safe fenced space in the centre of the village with a range of play equipment. There is a funded project to update the whole site including a greater range of equipment for all ages. More seating will be introduced with further planting of native trees and hedges to attract wildlife. There are views out of the site over large gardens to the River Beane. The site is identified as an important open space that should be protected in the Walkern Conservation area Character appraisal (2016).



PROS2: Play Area Aubries

This is a small safe site within the Aubries development with play equipment for smaller children. It is the only play area available without having to cross the high Street to the recreation ground.



PROS3: Sports Field, High Street

This is the main sports and social club field, which is used for football in the winter and cricket in the summer. The annual village fete is held here. The field is well used by residents for picnics, dog walking and exercising. it is a valuable asset for the village.



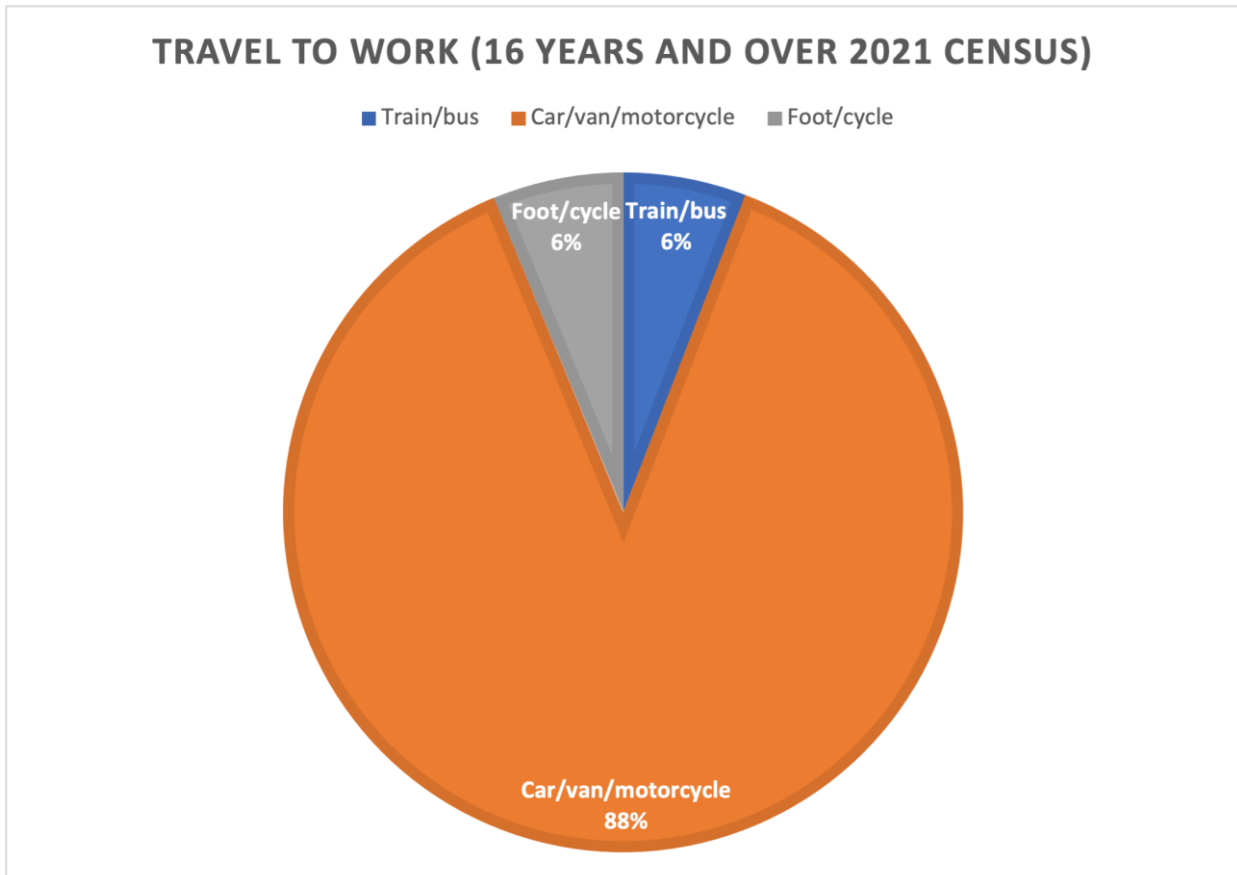
PROS4: Midsummer Meadows

This space is an integral part of the Midsummer Meadows housing development. Doubling as an area of biodiversity and incorporating SUDs, it is also an important walking link through to Froghall Lane.

Appendix J Car Parking Standards

On-street parking in Walkern High Street and in the residential roads of Aubries and Moors Ley causes traffic congestion and issues with access for the emergency services. In Aubries and Moors Ley in particular, where insufficient private parking spaces were provided when the development was built, cars are parked on pavements to avoid blocking the narrow roads. This also creates a safety issue for pedestrians.

The lack of adequate public transport forces villagers to use their own vehicles to travel to work. Preliminary 2021 census figures for the Parish of Walkern show that only 6 % of those who travel by train or bus. It is likely that those travelling by train also use their car to travel to the train station.

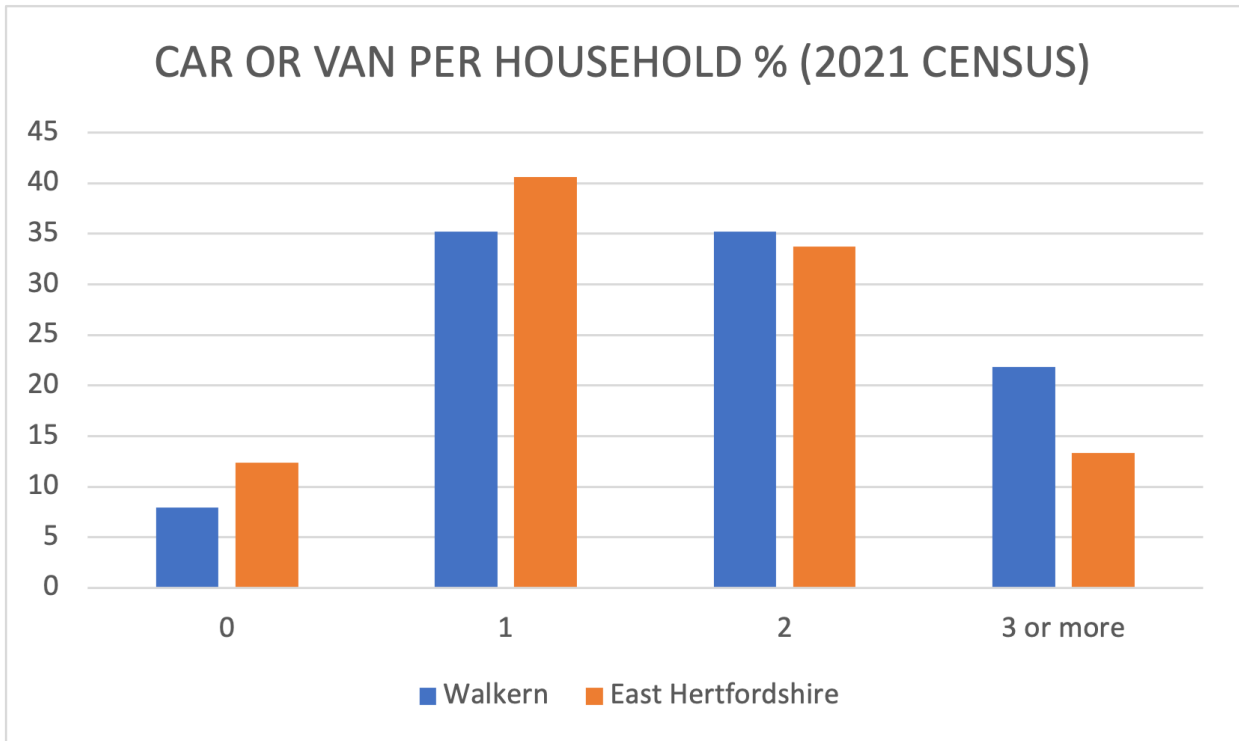


This pie chart represents those aged 16 and over, in employment, travelling to work (when the census was taken 41% of residents were recorded as working mainly from home) and shows the overwhelmingly large percentage of workers who use their car to get to work.

Source: ONS Census 2021 Walkern Profile Preview
(<https://www.ons.gov.uk/visualisations/customprofiles/build/>)

In the building and development section of the Walkern Neighbourhood Plan Questionnaire residents were asked what facilities should be included in new housing developments. 80% of respondents said that all new builds must have parking spaces or garages.

East Herts District Plan minimum residential parking standards are 1.5 off-street spaces for a one-bed home. However, car ownership is different in Walkern, with significantly more households owning either 2 cars or 3 or more cars compare to East Herts (see chart below).



In addition, recent applications for residential development in East Herts have seen developers arguing that on-street parking spaces should be allowable to satisfy parking standards. This would not be acceptable in Walkern where problems caused by on-street parking are already acute.

Appendix K Action Plan

Issues were identified through consultation with residents. The Parish Council will resolve the issues in the Action Plan using developer contributions and other funding mechanisms.

Issue	Outcome sought	Measures sought	Progress
Walkern Playground needs updated play equipment, planting and more seating.	To enable the area to be better used and encourage more wildlife.	Funding to be sought via Biffa and other possible grant schemes. S106 money also to be used.	Improvements inc. tree surgery, bin and replacement w/chair accessible seat/table.
Height and weight restrictions to be enforced for through traffic.	To prevent heavy vehicles driving through the village unless for business.	Lobby HCC Highways. Further measures being sought as signage is not effective.	Pending
Congestion in the High Street and speed of traffic.	To install traffic calming measures throughout village.	Lobby HCC and police and make them aware of the danger to residents	S106 for High Street parking Bays & yellow lines proposed.
Congestion from cars parked outside primary school and side roads.	To improve safety for residents, children and drivers negotiating parked cars.	Lobby for more enforcement by traffic wardens. Provide a drop-off area for school to reduce time cars wait in side roads with engines running.	None, and situation is worsening.
Lack of play/sporting facilities at WSCC.	To extend health and social activities for all ages	Direct S106 money and other grants towards achieving the outcome.	New fitness equipment, play equipment/picnic benches installed.
Lack of crossing points and entrances to public areas (Equalities Act 20120)	To create a safer and more accessible village, where ever reasonably possible.	S106 money to install lines by WSCC to enable w/chair users to use dropped kerb. Marking designated parking bay at shop. WPC to keep paths free from overgrowth.	Survey carried out and site plan drawn up showing areas of concern (see NP Consultation Statement).
Village signage dated and in poor condition.	To provide visual information and create safer driving conditions.	WPC to ensure signs are visible; cleaned and overhanging trees and shrubbery cleared.	Sign renewed at Clay End. Village signs cleaned annually. Seating to be installed Froghall Lane graveyard.
Lack of seating in public places.	To enhance the life of residents, particularly the elderly & disabled.	Used S106 and WPC funding to install seating at the Playground and benches at Froghall Lane graveyard.	Seating installed at WSCC.
Vehicle speeds too high.	To reduce vehicle speeding/use of the village as a rat run.	Liaise with HCC Highways and polices for traffic calming measures to be installed.	Pending
Impact of aircraft noise/pollution.	To ensure aircraft fly at correct height and on flight paths.	Lobby London Luton Airport and gain support from LADCAN.	WPC has sent an objection to holding area over village. WPC has now subscribed to LADACAN
Height and weight of vehicles using Totts Lane/Winters Lane	To eliminate oversized vehicles on narrow lanes.	Signage, weight restrictions and width restrictions needed.	Road layout changed at Winters Lane/Bockings to prevent HGV use.
Future lack of burial spaces in St Mary's churchyard.	To create further space for residents who wish to rest in the churchyard.	Extension of garden of remembrance. Permission to be sought from Diocese.	Vicar supports this and has given permission.
No public electric vehicle charging points in the village.	To provide public charging facilities for hybrids and electric cars.	A suitable space would be on Clark's garage forecourt.	Owner agreed to consider installation, but costs would need to be investigated.
Negative aspects of conservation area.	Improve environment in conservation area.	Use S106 funding to action the conservation area management plan	Pending

Appendix L Abbreviations & Glossary

ACV	Asset of Community Value
Affordable Housing	Housing for sale or rent at below market prices
Ancient Woodland	Woodland known to have existed continuously since 1600
Brownfield	Land that has been previously developed
Conservation Area	Designated under Section 69 of the Town and Country Planning Act as being of special architectural or historical interest
CIL	Community Infrastructure Levy
DEFRA	Department for Environment, Food and Rural Affairs
Designated Area	The area covered by the Neighbourhood Plan
EHDC	East Hertfordshire District Council
Flood Plain	Land liable to flood from a watercourse
Green Corridor	An area of habitat connecting wildlife populations
HCC	Hertfordshire County Council
HER	Hertfordshire Historic Environment Record
HERC	Hertfordshire Environmental Records Centre
Infrastructure	Services necessary for development to take place, e.g., roads
LADCAN	Luton and District Association for the Control of Aircraft Noise
LGS	Local Green Space
Local Plan	East Herts District Plan (2018)
Locality	A national membership network supporting local community organisations See www.locality.org.uk
Mitigation	Measures taken to lessen the effects of development
Neighbourhood Area	Area to which the Neighbourhood Plan relates
Neighbourhood Plan	Walkern Neighbourhood Plan
NERC Act	Natural Environment and Rural Communities Act 2006
NPPF	National Planning Policy Framework December 2023
NPPG	National Planning Practice Guidance https://www.gov.uk/government/collections/planning-practice-guidance
Objective	A goal to assist in achieving the overall vision for an area
Open Space	Space of public value e.g., land, rivers and lakes
Section 106	Developer contributions under Section 106 of the Town and Country Planning Act 1990
Sequential Test	Methodology ensuring development is sited in the best location
SPD	Supplementary Planning Document
Sustainable Development	Development that meets the needs of the present, without compromising future generations to meet their own needs
URC	United Reformed Church
Vernacular	A local style of architecture for homes and domestic buildings
View/Vista	Pleasing sight from a place/ or a long narrow view
Walkern	Refers to the village rather than the parish
WPC	Walkern Parish Council
WSCC	Walkern Sports and Community Centre

Appendix M References and Resources

Buntingford Community Area Neighbourhood Plan Examination Report 8 November 2016

East Hertfordshire Green Infrastructure Plan. Land Use Consultants, March 2011

East Herts District Plan 2011-2033. October 2018

Great Horwood Parish Neighbourhood Plan 2014 - 2031. March 2015

[Hertfordshire Biodiversity Action Plan.](#)

Hertfordshire ecological network Mapping. HERC, 2022

[Landscape Character assessment SPD.](#) East Herts Council, 2007

Local green Space designation. Open Spaces Society, 2015

Local green Space Methodology. Bedford borough Council, 2015

Neighbourhood Planning guidance note. East Herts Council, December 2019

Neighbourhood Statistics, ONS 2001 and 2011 Census (NOMIS), 2021 Census

[Planning Practice guidance](#)

[Locality](#)

Walkern housing needs Survey. Community Development Action Hertfordshire, Feb 2017

[River Beane Catchment Management Plan. River Lea Catchment Partnership,](#)

Stevenage to Walkern Multi-use Path Feasibility. Groundwork Hertfordshire, 2009

Thame neighbourhood Plan. Thame Town Council, examination Version November 2012

The localism act 2011

The National Planning Policy Framework December 2023

The Neighbourhood Planning (General) Regulations 2012 and updates

[East Herts Council Parking Standards SPD](#)

Walkern Conservation Area Character Appraisal. East Herts Council, December 2016

[North Herts Museum](#) report published by Keith J Fitzpatrick-Matthews 2020

[Historic England Research Report Series 17-2019. January 2021](#)

[Landscape Issues in your Neighbourhood Plan \(CPRE\)](#)

Appendix N Acknowledgements

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Walkern Journal - printing information and communication with the village

Walkern Parish Council - notice board availability for communication

Walkern Stores (Now Budgens)- posters and collecting box for questionnaires

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Mr And Mrs Wilson - landowner

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